

Council/Agency Meeting Held: _____	City Clerk's Signature _____
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: 12/3/2007	Department ID Number: BD2007-6

**CITY OF HUNTINGTON BEACH  
REQUEST FOR CITY COUNCIL ACTION**

**SUBMITTED TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**SUBMITTED BY:** PENELOPE CULBRETH-GRAFT, CITY ADMINISTRATOR

**PREPARED BY:** ROSS CRANMER, DIRECTOR OF BUILDING & SAFETY

**SUBJECT:** Adoption of the 2007 California Building and Safety Codes and Related Ordinances

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)
--

**Statement of Issue:** The 2007 construction codes that regulate the health and safety of the structures in our community were adopted by the State of California on July 1, 2007. State law mandates that these codes be enforced starting January 1, 2008. In order to amend the codes to meet our local conditions we are required to officially adopt the codes. Companion codes and ordinances used for the administration of the codes are also included.

**Funding Source:** Not applicable

**Recommended Action:** Motion to:

1. Approve Adoption of Ordinance No. 3789, "AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 17.04 OF THE HUNTINGTON BEACH MUNICIPAL CODE TITLED THE HUNTINGTON BEACH BUILDING CODE" WITH FINDINGS.
2. Approve Adoption of Ordinance No. 3790, "AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING HUNTINGTON BEACH MUNICIPAL CODE CHAPTER 17.40 (MECHANICAL CODE), CHAPTER 17.44 (HUNTINGTON BEACH PLUMBING CODE) AND CHAPTER 17.48 (HUNTINGTON BEACH ELECTRICAL CODE)" WITH FINDINGS.
3. Approve Adoption of Ordinance No. 3791, "AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING VARIOUS CHAPTERS OF TITLE 17 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO CONSTRUCTION AND STRUCTURES "

D-1

## REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 12/3/2007

DEPARTMENT ID NUMBER: BD2007-6

---

**Alternative Action(s):** The City Council may make the following alternative motion(s):

1. Do not adopt the adoption; however that would result in the State Codes becoming law by default without local amendments.
2. "Continue the item and direct staff accordingly."

**Analysis:**

Construction codes that regulate the health and safety of the structures in our city are published every 3 years to keep up with current design technology and construction materials. The California Building Standards Commission is charged with approving and publishing the State Codes under Title 24. The 2007 editions of the California Building, Mechanical, Plumbing and Electrical Codes were published on July 1, 2007. In accordance with Section 18941.5 of the State Health and Safety Code, the City is mandated to enforce the Codes starting on January 1, 2008.

Official adoption of the Codes by reference allows the City of Huntington Beach to amend the Codes for special conditions and hazards that do not exist in all jurisdictions. The specific findings are also required to be adopted since the State requires that we justify that the amendments are reasonably necessary because of local climatic, geological or topographic conditions. If the codes are not adopted, they will become law by default without amendments.

Two companion codes, the Dangerous Buildings Code and the Sun Decks-Windscreens Code, are included since they have very minor modifications that reflect the adoption of the 2007 Construction Codes.

Several Chapters are proposed to be repealed due to a number of reasons. First, Chapter 17.02, Uniform Administrative Code, is now in the body of the California Building Code and is no longer needed. Chapter 17.16, Earthquake Hazard Regulations, is no longer needed since all the unreinforced masonry buildings left in our City have been reinforced. Lastly, Chapter 17.20, Driveways and Parking Areas is an old standard that is no longer used.

## REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 12/3/2007

DEPARTMENT ID NUMBER: BD2007-6

### Strategic Plan Goal:

Goal L-5: Improve the efficiency of the development review process.

### Environmental Status:

Not applicable

### Attachment(s):

City Clerk's Page Number	No.	Description
4	1.	Ordinances
17	2.	Legislative Drafts
55	3.	Findings of fact for code amendments
58	4.	Power Point

D1.3

INTENTIONALLY  
LEFT  
BLANK

D1.4

# ATTACHMENT 1



ORDINANCE NO. 3789

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING CHAPTER 17.04 OF THE HUNTINGTON BEACH MUNICIPAL  
CODE TITLED THE HUNTINGTON BEACH BUILDING CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Various sections of the Huntington Beach Building Code are hereby amended, added and deleted as follows:

SECTION 2. Section 17.04.020 is amended to read as follows:

17.04.020 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2007 California Building Code, and the whole thereof, including Appendix Chapter 1 entitled, "Administration" and Appendix I entitled, "Patio Covers," save and except those portions as are hereafter modified or amended. Such code, and amendments thereto, are hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code §18941.5, as fully as though set forth at length herein, for the purpose of regulating and administering the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach. (375-8/34, 530-5/48, 592-12/52, 869-9/61, 1064-7/64, 1139-5/65, 1331-7/67, 1626-2/71, 2027-1/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3305-12/95, 3422-7/99, 3573-10/02)

SECTION 3. Section 17.04.031 is hereby added, said section to read as follows:

17.04.031 CBC Appendix Chapter 1, §101.2 Scope, amended. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

SECTION 4. Section 17.04.032 is hereby added, said section to read as follows:

17.04.032 CBC Appendix Chapter 1, §105.2 Work exempt from permit, amended. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, pagodas, gazebos and similar uses, provided the floor area does not exceed 120 square feet.

2. Fences not over 42 inches high or architectural features not exceeding 6 feet in height and not within required zoning setbacks.
3. Oil derricks and tanks.
4. Retaining walls which do not support over 2 feet of earth measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, platforms, decks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings, other playground equipment and similar type recreational structures.
11. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support in Group R-3 and U occupancies.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
13. Flag poles, light poles and TV dishes in connection with a Group R, Division 3 occupancy and not exceeding 15 feet in height.
14. Re-roofing an area smaller than 100 square feet while satisfying all applicable application requirements.
15. Replacement doors and windows when the waterproofing membrane is not altered and emergency egress dimensions are equal to or better than the original permitted layout.
16. New roof penetrations less than 14" by 14" when no framing modifications or additions are required.

Unless otherwise provided by this code, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

#### Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provision of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

## D1.6



3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Temporary decorative lighting.
5. Replacement of attachment plug receptacles, but not the outlets therefore.
6. Replacement of general use snap switches.
7. Repair or replacement of any overcurrent device of the required capacity in the same location.
8. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
9. The wiring for temporary theater, motion picture or television stage sets.
10. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
11. Low-energy power, control and signal circuits of Classes II and III as defined in the electrical code.
12. Non vehicle mounted portable generators.
13. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

#### Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

#### Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

#### Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it become necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.
3. Repair or replacement of any plumbing fixture or appliance of the same type and size and in the same location. Exception: electric and fuel gas water heaters.
4. Replacement of any part that does not alter its approval or make it unsafe.

SECTION 5. Section 17.04.033 is hereby added, said section to read as follows:

17.04.033 CBC Appendix Chapter 1, §105.3.2 Expiration of plan review, amended. Applications for which no permit is issued within 180 days following the date of application shall expire automatically, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant in increments of 180 days subject to the following conditions:

1. The applicant shall submit an application every 180 days, accompanied by a plan review extension fee, established by resolution of the City Council.
2. Any plans that remain in plan review over 360 days shall meet all construction standards that are adopted at the time the permit is issued.
3. Plans may not remain in plan review more than 720 days except under extreme situations as approved by the building official.

SECTION 6. Section 17.04.034 is hereby added, said section to read as follows:

17.04.034 CBC Appendix Chapter 1, §105.5 Expiration of permit, amended. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered suspended or abandoned if substantial approval of one of the required progress inspections is not accomplished every 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year, the permittee shall pay a new full permit fee.

The permittee holding an unexpired permit may apply for an extension. The building official may extend the time for actions by the permittee for a period not exceeding 180 days upon written application by the permittee. Permits shall not be extended more than once except under extreme situations and when approved by the building official.

SECTION 7. Section 17.04.035 is hereby added, said section to read as follows:

17.04.035 CBC Appendix Chapter 1, Section 108 Fees, amended. CBC Appendix Chapter 1, Section 108 Fees is amended to read as follows:

§108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The building official may allow temporary exceptions.

§108.1.1 Plan review fees. When a plan or other data is required to be submitted a plan review fee shall be paid. This fee shall be paid at the time of submitting plans and specifications for plan review. Said plan review fees shall be as established by resolution of the City Council.

§108.1.2 Permit fees. The fee shall be paid at permit issuance. The standard for determination of value or valuation of the project shall be made by the building official and as established by resolution of the City Council.

§108.1.3 Miscellaneous service fees. Whenever an application is made for all other services, a fee for the service in an amount established by resolution of the City Council shall be paid to the City.

§108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the City Council.

§108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official and as established by resolution of the City Council.

§108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee established by resolution by the City Council that shall be in addition to the required permit fees.

§108.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

§108.6 Refunds. The building official may authorize the refund of any fee paid hereunder for work that was not performed or for fees that were collected erroneously as established by resolution of the City Council.

SECTION 8. Section 17.04.036 is hereby added, said section to read as follows:

17.04.036 CBC Appendix Chapter 1, §110.1 Use and occupancy, amended. No building or structure shall be used or occupied, nor shall a change in the existing occupant or occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Group R, Division 1 & 3 (except hotels and motels) and U occupancies.

SECTION 9. Section 17.04.060 is amended to read as follows:

17.04.060 CBC Section 1910 Minimum Slab Provisions, §1910.1 General, amended. All concrete floor slabs on grade shall have a minimum net thickness of 3 1/2 inches, and shall be provided with minimum reinforcing equal to 6 x 6-W1.4 x W1.4 welded fabric. When such slabs are to be covered with carpet or any floor covering they shall be separated from the ground by two (2) inches of clean sand over an approved vapor barrier.

SECTION 10. Section 17.04.070 is amended to read as follows:

17.04.070 CBC Chapter 9 Fire Protection Systems, §901.1 Scope, amended. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. For amended sprinkler requirements, see Huntington Beach Municipal Code, Chapter 17.56 of this code.

SECTION 11. The "EXCEPTIONS" portion of Section 17.04.080, §3605(b)(5), is hereby amended for clerical correction from numerical to alphabetical, as follows:

EXCEPTIONS:

- a. The bolt or bolts need not be key operated but shall not be otherwise activated, from the exterior side of the door.
- b. The bolt or bolts may be engaged or disengaged automatically with the dead bolt or by another device on the active leaf or lower leaf.
- c. Manually-operated hardened bolts at the top and bottom of the leaf and which embed a minimum of one-half (1/2) inch into the device receiving the projected bolt may be used when not prohibited by the Building Code or other laws and regulations.

SECTION 12. Sections 17.04.090 and 17.04.095 are hereby deleted.

SECTION 13. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

INITIATED AND APPROVED:

\_\_\_\_\_  
City Clerk

Tom D C  
Director of Building & Safety

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

Penelope Callahan  
City Administrator

P. J. Deen  
City Attorney

10/12/07  
TD 10/12/07

INTENTIONALLY  
LEFT  
BLANK

ORDINANCE NO. 3790

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING HUNTINGTON BEACH MUNICIPAL CODE  
CHAPTER 17.40 – HUNTINGTON BEACH MECHANICAL CODE,  
CHAPTER 17.44 – HUNTINGTON BEACH PLUMBING CODE, AND  
CHAPTER 17.48 – HUNTINGTON BEACH ELECTRICAL CODE

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Sections 17.40.010 and 17.40.040 of Huntington Beach Municipal Code Chapter 17.40, entitled Huntington Beach Mechanical Code, are hereby amended to read as follows:

17.40.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2007 California Mechanical Code, and the whole thereof, including appendices A, B and C, except as hereinafter provided but excluding chapters 1, 13 and 14 thereof. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code §18941.5, as fully as though set forth at length herein, for the purpose of protecting public health and safety by prescribing by minimum standards for the use, design and installation of heating, ventilating, comfort-cooling equipment and refrigeration systems; by requiring a permit and inspection for the installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach. (1938-10/74, 2172-3/77, 2431-7/80, 2747-6/85, 2976-12/88, 3022-12/89, 3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02)

17.40.040 Commercial Kitchen Hoods. §508.1 is hereby amended by adding the following exception: (3574-10/02)

§508.1 Exception. A hood will not be required where the only warming appliance in the establishment consists of an enclosed electric convection oven having a capability of reaching a maximum temperature of 350° F. The oven must be listed by an approved testing agency and approved by the Orange County Health Department. (3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02)

SECTION 2. Sections 17.40.045, 17.40.050 and 17.40.060 of Huntington Beach Municipal Code Chapter 17.40, entitled Huntington Beach Mechanical Code, are hereby deleted.

SECTION 3. Sections 17.44.010, 17.44.025 and 17.44.035 of Huntington Beach Municipal Code Chapter 17.44, entitled Huntington Beach Plumbing Code, are hereby amended to read as follows:

17.44.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2007 California Plumbing Code, and the whole thereof, including Appendices A, D, E and I, except as hereafter provided, but excluding Chapter 1, entitled "Administration." Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set forth at length herein for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of plumbing and drainage

systems. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1937-10/74, 2089-8/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3426-7/99)

17.44.025 Toilet facilities for workers. §412.7 is hereby amended by adding the following:

§412.7 Toilet facilities for workers. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction. Such toilet facilities shall be located upon or within a reasonable distance of the lot, premises, or site upon which such work is being done. In no case shall the line of travel to any toilet facility exceed 500 feet. (3147-7/92, 3575-10/02)

17.44.035 Materials. Subsection 701.1.2 §701, is hereby amended to read as follows: (3309-12/95, 3575-10/02)

§ 701.1.2-ABS and PVC DWV piping installations shall be installed in accordance with IS 5, IS 9 and Chapter 15 "Firestop Protection." Except for individual single family dwelling units, materials exposed within ducts or plenums shall have a flamespread index of not more than 25 and a smoke-developed index of not more than 50, when tested in accordance with the Test for Surface – Burning Characteristics of the Building Materials (see the Building Code standards based on ASTM E-84 and ANSI/UL 723).

ABS and PVC DWV piping installations shall be limited to structures not more than two (2) stories in height of Type III, IV, or V construction. (3147-7/92, 3309-12/95, 3426-7/99, 3575-10/02)

SECTION 4. Sections 17.44.030 and 17.44.095 of Huntington Beach Municipal Code Chapter 17.44, entitled Huntington Beach Plumbing Code, are hereby deleted.

SECTION 5. Section 17.48.010 of Huntington Beach Municipal Code Chapter 17.48, entitled Huntington Beach Electrical Code, is hereby amended to read as follows:

17.48.010 Adoption. There is hereby adopted by the City Council by reference that certain code known as the 2007 California Electrical Code excepting Article 89 and except as hereafter provided. Such code is hereby adopted and incorporated pursuant to Government Code § 50022.2 et seq. and Health and Safety Code §18941.5 for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of all electrical installations in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict therewith. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1935-10/74, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3022-12/89, 3115-6/91, 3311-12/95, 3428-7/99, 3577-10/02, 3719-8/05)

SECTION 6. Sections 17.48.050 and 17.48.060 of Huntington Beach Municipal Code Chapter 17.48, entitled Huntington Beach Electrical Code, are hereby deleted.

SECTION 7. This ordinance shall become effective 30 days after its adoption.



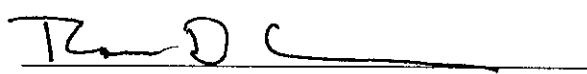
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

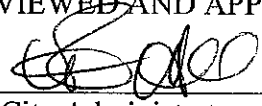
INITIATED AND APPROVED:

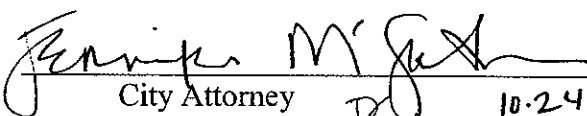
\_\_\_\_\_  
City Clerk

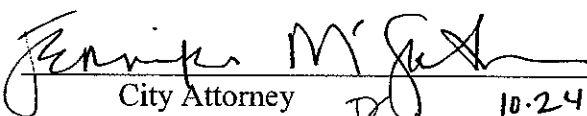
  
\_\_\_\_\_  
Director of Building and Safety

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Administrator

  
\_\_\_\_\_  
City Attorney

  
10-24-07 10-24-07

INTENTIONALLY  
LEFT  
BLANK

ORDINANCE NO. 3791

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING VARIOUS CHAPTERS OF TITLE 17 OF THE HUNTINGTON BEACH  
MUNICIPAL CODE RELATING TO CONSTRUCTION AND STRUCTURES

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. The following Chapters of Title 17 of the Huntington Beach Municipal Code are hereby deleted in their entirety:

Chapter 17.02 Uniform Administrative Code  
Chapter 17.16 Earthquake Hazard Regulations  
Chapter 17.20 Driveways and Parking Areas

SECTION 2. Section 17.12.010 of the Huntington Beach Dangerous Buildings Code is hereby amended to read as follows:

17.12.010 Adoption There is hereby adopted by the City Council by reference that certain code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, for the purpose of providing a just, equitable and practicable method, or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated or demolished; providing penalties for the violation of such code, and repealing all ordinances and parts of ordinances in conflict therewith, and the same is hereby adopted and incorporated as fully as though set out at length herein, as provided by California Government Code § 50022.2 et seq., and Health and Safety Code §18941.5. From the date on which this chapter takes effect, the provisions of said code together with amendments thereto shall be controlling within the corporate limits of the city of Huntington Beach. (1332-7/66, 1629-2/71, 1883-1/74, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3307-12/95, 3424-7/99)

SECTION 3. Section 17.24.010 of Chapter 17.24 Sun Decks-Windcreens is hereby amended to read as follows:

17.24.010 Construction. Decks projecting beyond the bulkhead shall meet the following design requirements: (2975-12/88, 3022-12/89)

- (a) Decks shall be designed to sustain a minimum live load of one hundred (100) pounds per square foot.
- (b) There shall be no moment connection between the deck and the bulkhead.
- (c) Projecting decks shall be designed to sustain all dead loads plus the required live load within the stresses permitted for the particular materials by the California Building Code. In no case shall the resultant load on the bulkhead, from dead loading, exceed seven-hundred and fifty (750) pounds per lineal foot. In addition, a maximum equivalent uniform live load of fifty (50) pounds per square foot is permitted. This live load shall be

used to account for all ancillary features incorporated into the deck/patio structure including but not limited to overlayment, windscreens, and planters. (3022-12/89)

- (d) Projecting decks are permitted along the bulkhead provided the total length of the deck along the bulkhead does not exceed eighty (80%) percent of the length of the bulkhead abutting the lot. (3022-12/89, 3231-4/94)
- (e) The elevation of the top of the deck shall not be higher than the height of the slab of the ground floor of the dwelling unit nor be more than eighteen (18) inches above the top of the bulkhead, whichever is less. (1114-1/65, 2216-10/77, 3022-12/89))
- (f) All decks shall be in conformance with the Huntington Beach Zoning and Subdivision Ordinance Code. (3231-4/94)

SECTION 4. Subsection (d) of Section 17.24.030 of Chapter 17.24 Sun Decks-Windscreens is hereby deleted.

SECTION 5. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

INITIATED AND APPROVED:

\_\_\_\_\_  
City Clerk

Rose D C  
Director of Building and Safety

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

Penelope Cullins  
City Administrator

P. J. Dan  
City Attorney

10/12/07

TS 10/12/07

D1 . 17

# ATTACHMENT 2

INTENTIONALLY  
LEFT  
BLANK

**LEGISLATIVE DRAFT**

**Chapter 17.04**

**BUILDING CODE**

(375-8/34, 530-5/48, 592-12/52, 869-9/61, 1064-7/64, 1139-5/65, 1331-7/67, 1626-2/71, 1935-11/74, 2027-1/76, 2431-7/80, 2747-2/85, 2787-9/85, 2875-11/86, 2976-12/88, Urg. Ord. 3006-6/89, 3004-8/89, 3022-12/89, 3147-7/92, 3260-11/94, 3261-11/94, 3305-12/95, 3422-7/99, 3573-10/02)

**Sections:**

- 17.04.010 Title
- 17.04.020 Adoption
- 17.04.030 Chapter 1 deleted
- 17.04.031 CBC Appendix Chapter 1, §101.2 Scope, amended**
- 17.04.032 CBC Appendix Chapter 1, §105.2 Work exempt from permit, amended**
- 17.04.033 CBC Appendix Chapter 1, §105.3.2 Expiration of plan review, amended**
- 17.04.034 CBC Appendix Chapter 1, §105.5 Expiration of permit, amended**
- 17.04.035 CBC Appendix Chapter 1, Section 108 Fees, amended**
- 17.04.036 CBC Appendix Chapter 1, §110.1 Use and occupancy, amended**
- 17.04.040 (Repealed, Ord 3147-7/92)
- 17.04.050 (Repealed, Ord 3147-7/92)
- 17.04.055 (Provisions moved to the Housing Code)
- 17.04.060 ~~§ 1900.4.4 amended--Minimum Slab Thickness~~ CBC §1910.1 General, amended**
- 17.04.064 (Repealed, Ord 3573-10/02)
- 17.04.070 ~~§ 904.2 amended--Automatic Fire Extinguishing Systems~~ CBC §901.1 Scope, amended**
- 17.04.075 (Repealed, Ord 3422-7/99)
- 17.04.080 Chapter 36 added--Building security
- 17.04.085 Methane District Regulations
- 17.04.090 Amendments to appendices Repealed**
- 17.04.095 Appendix Chapter 15, §1516 Repealed**
- 17.04.100 (Repealed, Ord 3260-11/94)
- 17.04.110 (Repealed, Ord 3260-11/94)

**17.04.010 Title.** This chapter shall be known as the Huntington Beach Building Code, may be cited as such, and will be referred to herein as the Building Code. (1935-11/74, 2027-1/76, 2431-7/80, 2747-2/85, 3422-7/99)

**17.04.020 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the ~~2001~~ **2007** California Building Code, and the whole thereof, including appendices **Appendix Chapter 1 entitled, "Administration" and Appendix I entitled, "Patio Covers,"** thereto ~~save and except as hereinafter provided~~ **those portions as are hereafter modified or amended.** Such code, and amendments thereto, are hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code § 18941.5, as fully as though set forth at length herein, for the purpose of regulating **and administering** the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect the provisions of such code, together with amendments thereto shall be controlling within the corporate limits of the City of Huntington Beach. (375-8/34, 530-5/48, 592-12/52, 869-9/61, 1064-7/64, 1139-5/65, 1331-7/67, 1626-2/71, 2027-1/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3305-12/95, 3422-7/99, 3573-10/02)

17.04.030 Chapter 1 of the Building Code is hereby deleted. (2431-7/80, 2747-2/85, 3305-12/95, 3422-7/99)

**17.04.031 CBC Appendix Chapter 1, §101.2 Scope, amended.** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**17.04.032 CBC Appendix Chapter 1, §105.2 Work exempt from permit, amended.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses, pagodas, gazebos and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 42 inches high or architectural features not exceeding 6 feet in height and not within required zoning setbacks.
3. Oil derricks and tanks.
4. Retaining walls which do not support over 2 feet of earth measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, platforms, decks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings, other playground equipment and similar type recreational structures.
11. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support in Group R-3 and U occupancies.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

D1 . 19



13. Flag poles, light poles and TV dishes in connection with a Group R, Division 3 occupancy and not exceeding 15 feet in height.
14. Re-roofing an area smaller than 100 square feet while satisfying all applicable application requirements.
15. Replacement doors and windows when the waterproofing membrane is not altered and emergency egress dimensions are equal to or better than the original permitted layout.
16. New roof penetrations less than 14" by 14" when no framing modifications or additions are required.

Unless otherwise provided by this code, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

**Electrical:**

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provision of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Temporary decorative lighting.
5. Replacement of attachment plug receptacles, but not the outlets therefore.
6. Replacement of general use snap switches.
7. Repair or replacement of any overcurrent device of the required capacity in the same location.
8. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
9. The wiring for temporary theater, motion picture or television stage sets.
10. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
11. Low-energy power, control and signal circuits of Classes II and III as defined in the electrical code.
12. Non vehicle mounted portable generators.

**13. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.**

**Gas:**

- 1. Portable heating appliance.**
- 2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.**

**Mechanical:**

- 1. Portable heating appliance.**
- 2. Portable ventilation equipment.**
- 3. Portable cooling unit.**
- 4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.**
- 5. Replacement of any part that does not alter its approval or make it unsafe.**
- 6. Portable evaporative cooler.**
- 7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.**

**Plumbing:**

- 1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it become necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.**
- 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.**
- 3. Repair or replacement of any plumbing fixture or appliance of the same type and size and in the same location. Exception: electric and fuel gas water heaters.**
- 4. Replacement of any part that does not alter its approval or make it unsafe.**

D1 . 21

**17.04.033 CBC Appendix Chapter 1, §105.3.2 Expiration of plan review, amended. Applications for which no permit is issued within 180 days**

following the date of application shall expire automatically, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant in increments of 180 days subject to the following conditions:

1. The applicant shall submit an application every 180 days, accompanied by a plan review extension fee, established by resolution of the City Council.
2. Any plans that remain in plan review over 360 days shall meet all construction standards that are adopted at the time the permit is issued.
3. Plans may not remain in plan review more than 720 days except under extreme situations as approved by the building official.

**17.04.034 CBC Appendix Chapter 1, §105.5 Expiration of permit, amended.**

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered suspended or abandoned if substantial approval of one of the required progress inspections is not accomplished every 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year, the permittee shall pay a new full permit fee.

The permittee holding an unexpired permit may apply for an extension. The building official may extend the time for actions by the permittee for a period not exceeding 180 days upon written application by the permittee. Permits shall not be extended more than once except under extreme situations and when approved by the building official.

**17.04.035 CBC Appendix Chapter 1, Section 108 Fees, amended.** CBC Appendix Chapter 1, Section 108 Fees is amended to read as follows:

**§108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The building official may allow temporary exceptions.

**§108.1.1 Plan review fees.** When a plan or other data is required to be submitted a plan review fee shall be paid. This fee shall be paid at the time of submitting plans and specifications for plan review. Said plan review fees shall be as established by resolution of the City Council.

**§108.1.2 Permit fees.** The fee shall be paid at permit issuance. The standard for determination of value or valuation of the project shall be made by the building official and as established by resolution of the City Council.

**§108.1.3 Miscellaneous service fees.** Whenever an application is made for all other services, a fee for the service in an amount established by resolution of the City Council shall be paid to the City.

**§108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the City Council.

**§108.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official and as established by resolution of the City Council.

**§108.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee established by resolution by the City Council that shall be in addition to the required permit fees.

**§108.5 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**§108.6 Refunds.** The building official may authorize the refund of any fee paid hereunder for work that was not performed or for fees that were collected erroneously as established by resolution of the City Council.

**17.04.036 CBC Appendix Chapter 1, §110.1 Use and occupancy, amended.**

No building or structure shall be used or occupied, nor shall a change in the existing occupant or occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**Exception:** Group R, Division 1 & 3 (except hotels and motels) and U occupancies.

**17.04.060 §1900.4.4 amended--Minimum Slab Thickness CBC Section 1910 Minimum Slab Provisions, §1910.1 General, amended.** §1900.4.4 of the Building Code is amended to read as follows: (3305-12/95, 3422-7/99) **§1900.4.4. All concrete floor slabs on grade shall have a minimum net thickness of 3 1/2 inches, and shall be provided with minimum reinforcing equal to 6 x 6-W1.4 x W1.4 welded fabric. When such slabs are to be covered with carpet or any floor covering they shall be separated from the ground by two (2) inches of clean sand over an approved vapor barrier.**

~~§1900.4.4. All concrete floor slabs on grade shall have a minimum net thickness of 3 1/2 inches, and shall be provided with minimum reinforcing equal to 6 x 6-W1.4 x W1.4 welded fabric. When such slabs are to be covered with carpet or any floor covering they shall be separated from the ground by two (2) inches of clean sand over an approved vapor barrier. (2027-1/76, 2431-7/80, 2747-2/85, 2976-12/88, 3305-12/95, 3422-7/99)~~

**17.04.070 §904.2 amended--Automatic Fire Extinguishing Systems CBC Chapter 9 Fire Protection Systems, §901.1 Scope, amended.** §904.2 of the Building Code is modified by adding the following to subsection 904.2.1 to read as follows: (3022-12/89, 3305-12/95, 3422-7/99) **The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. For amended sprinkler requirements, see Huntington Beach Municipal Code, Chapter 17.56 of this code.**

~~§904.2.1. For amended sprinkler requirements, see Huntington Beach Municipal Code, Chapter 17.56 of this code. (2027-1/76, 2431-7/80, 2747-2/85, 3022-12/89, 3305-12/95, 3422-7/99)~~

**17.04.080 Chapter 36 added--Building security.** The Building Code is hereby amended by adding thereto new Chapter 36 entitled, "Building Security," to read as follows: (3022-12/89, 3305-12/95, 3422-7/99)

**§3601. Purpose.** The purpose of this chapter is to establish minimum standards of construction for protection against unlawful entry. (3305-12/95)

**§3602. Alternative security provisions.** When approved by the building official, site security systems may be provided in lieu of the specific security provisions of section 3608, 'Garages--Multiple dwellings.' (3022-12/89, 3305-12/95, 3422-7/99)

**§ 3603. Definitions.** For the purpose of this chapter, certain terms used herein are defined as follows: (3305-12/95, 3422-7/99)

'Cylinder guard' means a hardened ring surrounding the exposed portion of the lock cylinder or other device which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

'Deadlocking latch' means a latch in which the latch bolt is positively held in the projected position by a guard bolt, plunger or auxiliary mechanism.

'Dead bolt' means a bolt which has no automatic spring action and which is operated by a key cylinder, thumb turn, or level, and is positively held fast when in the projected position.

'Latch' means a device for automatically holding a door shut after being closed.

'Light' means any glazed opening whether glazed with glass, plastic, metal, wood or composition sheets or panels, or similar materials, and shall include windows, skylights, view ports or view panels and similar openings.

**§ 3604. Entry vision.** All main or front entry doors to R occupancies shall be arranged so that the occupant has a view of the area immediately outside without opening the door. Such view may be provided by a door viewer or view port or by window or other opening located and constructed as required by this chapter. Such area shall be provided with a light. (3305-12/95, 3422-7/99)

**§ 3605. Doors.** (3305-12/95, 3422-7/99)

(a) **General.** A door forming a part of the enclosure of a dwelling unit or of an area of a building occupied by one tenant shall be constructed, installed, and secured as set forth in this section.

(b) **Swinging doors.**

- (1) Swinging wooden doors which can be opened from the inside without using a key shall be of solid core construction. Lights in doors shall be as set forth in this chapter. (3022-12/89)
- (2) A single swinging door, the active leaf of a pair of doors, and the bottom leaf of Dutch doors shall be equipped with a dead bolt and deadlocking latch. The dead bolt and latch may be activated by one lock or by individual locks. Dead bolts shall contain hardened inserts, or equivalent, designed to repel cutting tool attack. The lock or locks shall be key operated from the exterior side of the door and engaged or disengaged from the interior side of the door by a device which requires no key, special knowledge or effort.
- (3) A straight dead bolt shall have a minimum throw of one (1) inch and the embedment shall be not less than five-eighths (5/8) inch into the holding device receiving the projected bolt. All dead bolts of locks which automatically activate two (2) or more dead bolts shall embed at least one-half (1/2) inch but need not exceed three-fourths (3/4) inch into the holding devices receiving the projected bolts. (3022-12/89)
- (4) A deadlocking latch shall be provided with a bolt projecting not less than five-eighths (5/8) inches from the edge of the door in which it is installed.
- (5) The inactive leaf of a pair of doors and the upper leaf of Dutch doors shall be equipped with a dead bolt or dead bolts as set forth in subsection (b)(2) above.

EXCEPTIONS:

- D1 . 25**      (1)a. The bolt or bolts need not be key operated but shall not be otherwise activated, from the exterior side of the door.

- (2)b. The bolt or bolts may be engaged or disengaged automatically with the dead bolt or by another device on the active leaf or lower leaf.
- (3)c. Manually-operated hardened bolts at the top and bottom of the leaf and which embed a minimum of one-half (1/2) inch into the device receiving the projected bolt may be used when not prohibited by the Building Code or other laws and regulations.
- (6) Doorstops on wooden jambs for in-swinging doors shall be of one piece construction with the jamb or joined by a rabbet.
- (7) Nonremovable pins shall be used in pin-type hinges which are accessible from the outside when the door is closed.
- (8) Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or when otherwise accessible to gripping tools.
- (9) Unframed glass doors shall be of fully tempered glass not less than one-half (1/2) inch thick.
- (10) Narrow-framed glass doors shall be of fully tempered glass not less than one-quarter (1/4) inch thick.
- (c) Sliding glass doors. Sliding glass doors shall be equipped with locking devices. Cylinder guards shall be installed on all mortise or rim-type cylinder locks installed in doors whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools. (3305-12/95)

§ 3606. Windows, or other openings. (3422-7/99, 3573-10/02)

- (a) General. Windows, or other similar openings shall be constructed, installed and secured as set forth in this section. (2976-12/88, 3022-12/89, 3422-7/99, 3573-10/02)
- (b) Materials. Only fully-tempered glass or approved metal bars, screens, or grills shall be used for any opening in which glass is utilized which is located within forty (40) inches of the locking device on a door. (3305-12/95)
- (c) Locking devices. All windows or other openings which are designed to be opened shall be provided with locking devices. (3305-12/95, 3573-10/02)

§ 3608. Garages--Multiple dwellings. Whenever a development includes three (3) or more dwelling units, all covered parking required by other provisions of the Huntington Beach Ordinance Code shall be provided by fully-enclosed garages. Garage space for each tenant shall be separated by partitions of three-eighths (3/8) inch plywood or any approved equivalent with studs set not more than twenty-four (24) inches apart on one side. Doors and windows in such garages shall be constructed, equipped and secured as required by this chapter. (2027-1/76, 2431-7/80, 2456-11/80, 2747-2/85, 2787-9/85, 3022-12/89, 3305-12/95, 3422-7/99)

17.04.085 Methane District Regulations. The Building Code is hereby amended by adding thereto new Chapter 55 entitled "Methane District Regulations" to read as follows:  
(3004-8/89, 3022-12/89, 3422-7/99)

§ 5501. Purpose. This Division sets forth the minimum requirements of the City of Huntington Beach for new building construction in the defined methane overlay districts. It is also the purpose of this chapter to reduce the hazards presented from accumulations of methane gas by

requiring the appropriate testing and mitigation measures for all new buildings in the methane overlay districts.

**§ 5502. Definitions.** For the purposes of this division, the following definitions shall also be applied.

- A. Flammable Gas shall mean any gaseous substance capable of sustaining combustion or explosion.
- B. Gas Detection System shall mean one or more electrical devices capable of continuous monitoring for the presence of flammable gasses and containing an audible alarm capable of alerting occupants that a hazardous atmosphere exists. A part of the system shall be subject to building the system and all devices which are department and fire department approved.
- C. Methane Gas shall mean the hydrocarbon substance commonly known as “natural gas,” chemical formula CH<sub>4</sub>. For the purposes of definition in this chapter, natural gas from the distribution system of a utility company is exempted and excluded from the scope of the application of the provisions of this chapter.
- D. Methane Gas Overlay District shall mean those districts within the City of Huntington Beach as defined in Section 5503.
- E. Qualified Engineer shall mean a civil engineer currently registered in the State of California and possessing experience in the design of subsurface gas control systems.
- F. Vent System shall mean a system or device which gathers or collects flammable gasses and releases these gasses in a specified manner and location.

**§ 5503. Overlay Districts.** Boundaries of the districts set forth herein are measured from centerline to centerline of indicated streets unless otherwise described, and are graphically depicted by the copy of the map designated “Methane Overlay Districts,” which is on file with the Fire Department. (3422-7/99)

The Methane District boundaries are as follows. Note that the directions of north, south, east, west, and similar directions are general in nature only.

District One: Saybrook Lane south from Edinger Avenue to Davenport Drive to Algonquin Street, south on Algonquin Street to Warner Avenue, east on Warner Avenue to Bolsa Chica Street, north on Bolsa Chica Street to Edinger Avenue, west on Edinger Avenue to Saybrook Lane.

District Two: All land on both sides of Pacific Coast Highway northwest from the City Boundary at the Santa Ana River to the City Boundary at the Bolsa Chica Bluffs, then following the City Boundary northeast to Edwards Street, Edwards Street north to Slater Avenue, Slater Avenue east to Gothard Street, Gothard Street south to Ellis Avenue, Ellis Avenue east to Newland Street, Newland Street south to Adams Avenue, Adams Avenue east to the City Boundary at the Santa Ana River, City Boundary south along the Santa Ana River to Pacific Coast Highway.

**§ 5504. Plan Required.** All proposed subdivisions, divisions of land, developments of property, and new buildings within the methane overlay districts shall be reviewed by the Fire Department. The Fire Chief may require a plan for the testing of site soils for the presence of methane gas. Such plan shall be subject to the approval of the Fire Department, and may include, but shall not be limited to, hammer probes, pneumatically driven probes, and core hole samples with monitoring for the presence of methane gas. The Fire Chief may require other actions as deemed necessary to insure the safety of the development or building site.



§ 5505. Testing Required. Testing for the presence of methane gas shall be required to be carried out in accordance with the approved plan. Results of such testing shall be submitted to the Fire Department for review and analysis.

§ 5506. Mitigation Required. Anomalous high levels of methane gas in the near surface or subsurface soil layers may require mitigation before any grading, development, or building construction is allowed to take place. Such mitigation may include, but is not limited to, the venting of abandoned oil wells, underground gathering and collection systems for gasses, vent systems, and flared vent systems. Other systems, devices, or components may be required as deemed necessary by the Fire Chief in order to insure the safety of the development and buildings.

If the mitigation measure does not reduce the soil concentrations of methane to an acceptable level, or if other contaminants are present in the methane at a level which poses a threat to health and safety, further development may be halted until such time as the site is rendered safe from these hazards.

§ 5507. Isolation Barriers Required. New buildings which fall under the provisions and requirements of this article may require the installation of a continuous, flexible, permanent, and non-permeable barrier, and shall be a type approved by the Fire Department. (3422-7/99)

§ 5508. Access. All methane gas mitigation systems required by this article shall be made accessible to city personnel for the purposes of monitoring, maintenance, and evaluation for effectiveness.

§ 5509. Areas Outside of Established Methane Overlay District Boundaries. Upon the determination of the Fire Department that hazard may exist from methane intrusion at a geographical location or area outside the boundaries established in Section 5503 above, the Fire Department may enforce any or all of the provisions of this article as deemed necessary by the Fire Chief to preclude potential hazards from fire or explosion from methane gas accumulations.

§ 5510. Additional Remedial Measures. If the concentration of flammable gas in any building in the City reaches or exceeds twenty-five percent (25%) of the minimum concentration which form an ignitable mixture with air at ambient temperature and pressure, the owner of such building shall hire a qualified engineer to investigate, recommend, and implement mitigating measures. Such measures shall be subject to the approval of the Fire Department. (3422-7/99)

~~17.04.090 Amendments to appendices. The Building Code is hereby amended by deleting from the appendices Chapter 3 Div. I, III & IV, 4, 9, 10, 11, 12 Div. I & II, 13, 16 Div. I, II, & III 19, 21, 23, 29, 30, 33, 34 Div. I & II. (2431-7/80, 2747-2/86, 2976-12/88, 3022-12/89, 3147-7/92, 3261-11/94, 3305-12/95, 3422-7/99, 3573-10/02)~~

~~17.04.095 Appendix Chapter 15, § 1516. Subsection 1516.3.(1) entitled Asphalt Shingles is hereby amended to not allow more than one (1) overlay of asphalt shingle over the existing roofing system unless structural calculations are submitted to justify the additional weight. (3147-7/92, 3305-12/95, 3422-7/99)~~

INTENTIONALLY  
LEFT  
BLANK

**LEGISLATIVE DRAFT****Chapter 17.40****MECHANICAL CODE**

(1408-5/68, 1628-2/71, 1938-10/74, 2172-3/77, 2235-12/77, 2282-5/78, 2337-1/79, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02)

**Sections:**

- 17.40.010 Adoption
- 17.40.020 Title
- 17.40.030 (Repealed - Ord. 3425 - 7/99)
- 17.40.040 Commercial Kitchen Hoods
- 17.40.045 ~~Vent Termination (Repealed)~~
- 17.40.050 ~~Operating Permit (Repealed)~~
- 17.40.060 ~~Maintenance Inspection (Repealed)~~

**17.40.010 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the ~~2001~~ **2007** California Mechanical Code, and the whole thereof, including appendices **A, B and C**, except as hereinafter provided but excluding chapters 1, **13** and 14 thereof. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq., and Health and Safety Code §18941.5, as fully as though set forth at length herein, for the purpose of protecting public health and safety by prescribing by minimum standards for the use, design and installation of heating, ventilating, comfort-cooling equipment and refrigeration systems; by requiring a permit and inspection for the installation, alteration and replacement of said equipment. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach. (1938-10/74, 2172-3/77, 2431-7/80, 2747-6/85, 2976-12/88, 3022-12/89, 3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02)

**17.40.020 Title.** This chapter shall be known as the "Huntington Beach Mechanical Code," may be cited as such, and will be referred to herein as "this code." (1408-5/68, 1628-2/71, 1938-10/74, 2431-7/80, 2747-6/85)

**17.40.040 Commercial Kitchen Hoods.** ~~§509.1~~ **508.1** is hereby amended by adding the following exception: (3574-10/02)

~~§509.1~~ **508.1** Exception. A hood will not be required where the only warming appliance in the establishment consists of an enclosed electric convection oven having a capability of reaching a maximum temperature of 350° F. The oven must be listed by an approved testing agency and approved by the Orange County Health Department. (3147-7/92, 3312-2/96, 3425-7/99, 3574-10/02)

**17.40.045 Vent Termination.** ~~§806.4~~ is amended to read as follows: (3574-10/02)

~~806.4 Type B or BW. Type B or BW gas vents with listed vent caps twelve (12) inches (305mm) in size or smaller shall be permitted to be terminated in accordance with Table 8-1, provided they are located at least four (4) feet (2438 mm) from a vertical wall or similar obstruction. All other Type B gas vents shall terminate not less than two (2) feet (610 mm) above the highest point where they pass through the roof and at least two (2) feet (610 mm) higher than any portion of a building within ten (10) feet (3048 mm).~~ (3574-10/02)

**17.40.050 Operating Permit.** ~~§1024~~ is hereby amended to read as follows: (3574-10/02)

~~§1024 Operating Permit. It shall be unlawful to operate a boiler or pressure vessel without first obtaining a valid operating permit from the State of California when required by the California State Boiler Safety Orders.~~ (3574-10/02)

**17.40.060 Maintenance Inspection.** ~~§1025 is hereby amended to read as follows: (3574 10/02)~~

~~§1025 Maintenance Inspection. All boilers and pressure vessels that require an operating permit from the State of California shall be inspected annually by an authorized state commissioned boiler inspector. (3574 10/02)~~

**LEGISLATIVE DRAFT****Chapter 17.44****PLUMBING CODE**

(1409-5/68, 1630-2/71, 1937-10/74, 2089-8/76, 2282-5/78, 2337-1/79, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3309-12/95, 3426-7/99, 3575-10/02)

**Sections:**

- 17.44.010 Adoption
- 17.44.020 Title
- 17.44.025 Toilet facilities for workers
- 17.44.030 ~~Vent Termination (Repealed)~~
- 17.44.035 Materials
- 17.44.040 (Repealed - 3022-12/89)
- 17.44.050 (Repealed - 3022-12/89)
- 17.44.060 (Repealed - 3147-7/92)
- 17.44.070 (Repealed - 3147-7/92)
- 17.44.080 (Repealed - 3147-7/92)
- 17.44.090 (Repealed - 3022-12/89)
- 17.44.095 ~~Installation of Gas Piping (Repealed)~~
- 17.44.100 (Repealed - 3309-12/95)

**17.44.010 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the ~~2001~~ **2007** California Plumbing Code, and the whole thereof, **including Appendices A, D, E and I** except as hereafter provided, ~~including the standards but excluding Appendix G and Chapter 1, entitled "Administration."~~ Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set forth at length herein for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of plumbing and drainage systems. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1937-10/74, 2089-8/76, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3426-7/99)

**17.44.020 Title.** This chapter shall be known as the "Huntington Beach Plumbing Code," may be cited as such, and will be referred to herein as "this code." (1409-5/68, 1630-2/71, 1937-10/74, 2431-7/80, 2747-2/85, 2976-12/88)

**17.44.025 Toilet facilities for workers.** ~~§413.7~~ **412.7** is hereby amended by adding the following:

~~§413.7~~ **412.7** Toilet facilities for workers. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction. Such toilet facilities shall be located upon or within a reasonable distance of the lot, premises, or site upon which such work is being done. In no case shall the line of travel to any toilet facility exceed 500 feet. (3147-7/92, 3575-10/02)

**17.44.030 Vent Termination.** ~~§517.3~~ is hereby amended to read as follows:

~~§517.3~~ **Type B.** Type B gas vents with listed vent caps twelve (12) inches (305mm) in size or smaller shall be permitted to be terminated in accordance with Table 5-3, provided they are located at least four (4) feet (2438 mm) from a vertical wall or similar obstruction. All other Type B gas vents shall terminate not less than two (2) feet (610 mm) above the highest point where they pass through the roof and at least two (2) feet (610 mm) higher than any portion of a building within ten (10) feet (3048 mm). (3575-10/02)

**D1 . 31**

**17.44.035 Materials.** Subsection 701.1.2 §701, is hereby amended to read as follows: (3309-12/95, 3575-10/02)

§ 701.1.2-ABS and PVC DWV piping installations shall be installed in accordance with IS 5, IS 9 and Chapter 15 "Firestop Protection for DWV and Stormwater Application". Except for individual single family dwelling units, materials exposed within ducts or plenums shall have a flamespread index of not more than 25 and a smoke-developed index of not more than 50, when tested in accordance with the Test for Surface – Burning Characteristics of the Building Materials (see the Building Code standards based on ASTM E-84 and ANSI/UL 723).

ABS and PVC DWV piping installations shall be limited to structures not more than two (2) stories in height of Type III, IV, or V construction. (3147-7/92, 3309-12/95, 3426-7/99, 3575-10/02)

**17.44.095 Installation of Gas Piping.** § 1211.10 is hereby amended to read as follows: (3147-7/92, 3309-12/95, 3575-10/02)

~~§ 1211.10. All gas pipe protective coatings shall be approved types; machine applied, and conform to recognized standards. Field wrapping shall provide equivalent protection and is restricted to those fitting and short sections where the factory wrap has been damaged or necessarily stripped for threading or welding (see Appendix I, IS-13). Zinc coatings (galvanizing) shall not be deemed adequate protection for gas piping below ground. Non-galvanized ferrous metals in exposed locations shall be protected from corrosion by coating or painting with corrosion inhibiting paint.~~

## LEGISLATIVE DRAFT

### Chapter 17.48

#### ELECTRICAL CODE

(1520-9/69, 1671-10/71, 1674-10/71, 1742-4/72, 1750-6/72, 1935-10/74, 2173-4/77, 2276-12/88, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3022-12/89, 3115-6/91, 3311-12/95, 3428-7/99, 3577-11/02, 3719-8/05)

#### Sections:

- 17.48.010 Adoption
- 17.48.020 Title
- 17.48.030 (Repealed-Ord. 3428-7/99)
- 17.48.040 Made and other Electrodes
- 17.48.050 ~~Articles 342 and 344 Intermediate Metal Conduit and Rigid Metal Conduit (Repealed)~~ (3719-08/05)
- 17.48.060 ~~Electrical metallic tubing (Repealed)~~
- 17.48.080 (Repealed 2976-12/88)
- 17.48.090 (Repealed 2976-12/88)
- 17.48.100 (Repealed 2976-12/88)

**17.48.010 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the 2004 ~~2007~~ California Electrical Code and the whole thereof, **excepting** Article ~~80~~ **89** and except as hereafter provided. Such code is hereby adopted and incorporated pursuant to Government Code § 50022.2 et seq. and Health and Safety Code §18941.5 for the purpose of prescribing regulations governing the installation, alteration, repair and maintenance of all electrical installations in the City of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict therewith. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the city of Huntington Beach. (1935-10/74, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3022-12/89, 3115-6/91, 3311-12/95, 3428-7/99, 3577-10/02, 3719-8/05)

**17.48.020 Title.** This chapter shall be known as the "Huntington Beach Electrical Code," may be cited as such, and will be referred to herein as "this code." (1935-10/74, 2173-4/77, 2431-7/80, 2567-9/82, 2787-9/85)

**17.48.040 Made and Other Electrodes.** Section 250.52 (3719-08/05)

250.52 (A) (5) Rod and pipe electrodes is amended to read as follows: (3719-08/05)

250.52 (A) (5) Rod and Pipe Electrodes: Rod electrodes shall not be less than 2.5m (8 ft.) in length, and shall consist of the following materials: (3719-08/05)

- a) Permanent rod electrodes shall be stainless steel. (3719-08/05)
- b) Temporary rod electrodes for temporary construction power poles may be copper or copper clad. (3719-08/05)
- c) Stainless steel rods less than 15.87 mm (5/8 in.) in diameter and nonferrous rods shall be listed and shall not be less than 13mm (1/2 in.) in diameter. (3719-08/05)

**17.48.050 ~~Articles 342 and 344 Intermediate Metal Conduit and Rigid Metal Conduit.~~** ~~Intermediate metal conduit and rigid metal conduit shall not be used in the earth or ground except when the conduit(s) and its or their associated fitting(s) are protected by a spirally wrapped, half overlap, double wrap of 10 mil listed tape to provide a minimum 40 mil thickness.~~ (3719-08/05)

**17.48.060 ~~Electrical metallic tubing.~~** ~~Article 358~~ (3719-08/05)

~~358.10 (B) Corrosive Protection is hereby amended to read as follows:~~ (3719-08/05)

D1 . 33

~~358.10 (B) Corrosion Protection: Ferrous or non-ferrous electrical metallic tubing, elbows, couplings, and fittings shall be permitted to be installed in concrete. (3719-08/05)~~

~~Electrical metallic tubing used in areas subject to corrosive influences and/or where exposed to the elements shall be protected by corrosion-inhibiting paint. (1520-9/69, 2173-4/77, 2431-7/80, 2567-9/82, 2787-9/85, 2976-12/88, 3115-6/91, 3428-7/99, 3577-11/02, 3719-8/05)~~

~~358.12 Uses Not Permitted is hereby amended to read as follows: (3719-08/05)~~

~~358.12 Uses Not Permitted. Electrical metallic tubing shall not be used under the following conditions: (3719-08/05)~~

- ~~(1) Where, during installation or afterward, it will be subject to severe physical damage.~~
- ~~(2) Where protected from corrosion solely by enamel.~~
- ~~(3) In cinder concrete or cinder fill where subject to permanent moisture unless protected on all sides by a layer of noncinder concrete at least 2 in. (50.8mm) thick or unless the tubing is at least 18 in. (457 mm) under the fill.~~
- ~~(4) In any hazardous (classified) location except as permitted by Sections 502-4, 503-3, and 504-20.~~
- ~~(5) For the support of luminaries or other equipment except conduit bodies no larger than the largest trade size of the tubing. (3719-08/05)~~
- ~~(6) Where practicable, dissimilar metals in contact anywhere in the system shall be avoided to eliminate the possibility of galvanic action. Exception: Aluminum fittings and enclosures shall be permitted to be used with steel electrical metallic tubing where not subject to severe corrosive influences. (3719-08/05)~~
- ~~(7) In direct contact with the earth. (3719-08/05)~~



**LEGISLATIVE DRAFT****Chapter 17.02****Repealed****UNIFORM ADMINISTRATIVE CODE**

(2431-7/80, 2747-2/85, 2763-6/85, 2976-12/88, 3022-12/89, 3147-7/92, 3304-12/95, 3421-7/99, 3572-10/02)

**Sections:**

- 17.02.010 Adoption
- 17.02.020 Repealed 3022-12/89
- 17.02.030 Section 301 Permits
- 17.02.035 Permit Expiration
- 17.02.040 Fees
- 17.02.050 Repealed 3304-12/95
- 17.02.055 Subsection 309.1 amended--Use or occupancy
- 17.02.060 Section 309.4 amended--Temporary certificate

**17.02.010 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the Uniform Administrative Code, compiled by the International Conference of Building Officials, being particularly the 1997 edition thereof, and the whole thereof except as herein provided. Such code, and amendments thereto, is hereby adopted and incorporated, pursuant to California Government Code §50022.2 et seq. and *Health and Safety Code* §18941.5, as fully as though set forth at length herein, to serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate the site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment in the city of Huntington Beach, and repealing all ordinances and parts of ordinances in conflict herewith. From the date on which this chapter takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the City of Huntington Beach. (2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3304-12/95, 3421-7/99, 3572-10/02)

**17.02.030 Section 301 Permits.** Section 301 of the Uniform Administrative Code is hereby amended to read as follows: (3421-7/99)

**§ 301 Permits.** (3421-7/99)

**§ 301.1 Permits Required.** Except as specified in Section 301.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the building official. (3421-7/99)

**§ 301.2 Work Exempt From Permit.** A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this City. (3304-12/95)

**§ 301.2.1 Building Permits.** A building permit shall not be required for the following: (3304-12/95)

- 1. One story detached accessory buildings used as tool and storage sheds, playhouses, private lathhouses, glasshouses, pagodas, gazebos and similar structures and uses, provided the floor area does not exceed one hundred and twenty (120) square feet. (2976-12/88, 3304-12/95, 3421-7/99)
- 2. Fences not over forty two (42) inches high or architectural features not exceeding 6'0" and not within required zoning setbacks. (3304-12/95, 3421-7/99)
- 3. Oil derricks and tanks. (3147-7/92, 3304-12/95)

~~4. Movable cases, counters and partitions not over five foot nine (5'9") inches high. (2976-12/88, 3304-12/95)~~

10/02

17.02.030(\$301.2.1[5]) - 17.02.030(\$301.2.2[2])

Huntington Beach Municipal Code

- ~~— 5. Retaining walls which do not support over two (2) feet of earth measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids. (3304-12/95, 3572-10/02)~~
- ~~— 6. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5000) gallons and the ratio of height to diameter or width does not exceed two to one. (3304-12/95)~~
- ~~— 7. Platforms, walks and decks not more than thirty (30) inches above grade and not over any basement or story below. (2976-12/88, 3022-12/89, 3304-12/95)~~
- ~~— 8. Painting, papering, flooring, wall hangings and similar finish work. (3304-12/95, 3421-7/99)~~
- ~~— 9. Temporary motion picture, television and theater stage sets and scenery. (3304-12/95)~~
- ~~— 10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U occupancies when projecting not more than fifty four (54) inches. (3572-10/02)~~
- ~~— 11. Flag poles, light poles and TV dishes in connection with a Group R, Division 3 occupancy and not exceeding fifteen (15) feet zero inches in height. (3022-12/89, 3304-12/95, 3572-10/02)~~
- ~~— 12. Playground equipment and similar type recreational structures. (3022-12/89, 3304-12/95, 3572-10/02)~~
- ~~— 13. Residential cabinets and counter tops within a dwelling unit. (3147-7/92, 3304-12/95, 3421-7/99, 3572-10/02)~~
- ~~— 14. Re-roofing an area smaller than 100 square feet while satisfying all applicable application requirements. (3304-12/95, 3572-10/02)~~
- ~~— 15. Replacement doors and windows when the waterproof membrane is not altered and emergency egress dimensions are equal to or better than the original permitted layout. (3304-12/95, 3572-10/02)~~
- ~~— 16. Residential driveways. (3304-12/95, 3572-10/02)~~
- ~~— 17. New roof penetrations less than 14" by 14" when no framing modifications or additions are required. (3304-12/95, 3572-10/02)~~

Unless otherwise provided by this code, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

§ 301.2.2. Plumbing Permits. A plumbing permit will not be required for the following:

- ~~— 1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code. (3304-12/95)~~
- ~~— 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures. (3304-12/95)~~

- 3. ~~Repair or replacement of any plumbing fixture or appliance of the same type and size and in the same location. Exception: Electric and fuel gas water heaters. (3304-12/95, 3421-7/99)~~
- 4. ~~Replacement of any component part of an appliance or fixture which does not alter its original approval and complies with other applicable requirements of the technical codes. (2431-7/80, 2747-2/85, 3304-12/95)~~

§ 301.2.3. Electrical Permits. An electrical permit shall not be required for the following:  
(3304-12/95)

- 1. ~~Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the electrical code. (3304-12/95)~~
- 2. ~~Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location. (3304-12/95)~~
- 3. ~~Temporary decorative lighting. (3304-12/95)~~
- 4. ~~Repair or replacement of current carrying parts of any switch, contactor or control device. (3304-12/95)~~
- 5. ~~Reinstallation of attachment plug receptacles, but not the outlets therefor. (3304-12/95)~~
- 6. ~~Repair or replacement of any overcurrent device of the required capacity in the same location. (3304-12/95)~~
- 7. ~~Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems. (3304-12/95)~~
- 8. ~~Taping joints. (3304-12/95)~~
- 9. ~~Removal of electrical wiring. (3304-12/95)~~
- 10. ~~Temporary wiring for experimental purposes in suitable experimental laboratories. (3304-12/95)~~
- 11. ~~The wiring for temporary theater, motion picture or television stage sets. (3304-12/95)~~
- 12. ~~Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty five (25) volts and not capable of supplying more than fifty (50) watts of energy. (3304-12/95)~~
- 13. ~~Low energy power, control and signal circuits of Classes II and III as defined in the electrical code. (3304-12/95)~~
- 14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility. (3304-12/95)
- 15. ~~Portable generators. Exception: Vehicle mounted units. (3421-7/99)~~

D1 . 37

§ 301.2.4. Mechanical Permits. A mechanical permit shall not be required for the following: (3304-12/95)

- ~~1. Any portable heating appliance. (3304-12/95)~~
- ~~2. Any portable ventilating equipment. (3304-12/95)~~
- ~~3. Any portable cooling unit. (3304-12/95)~~
- ~~4. Any portable evaporative cooler. (3304-12/95)~~
- ~~5. Any closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by the mechanical code. (3304-12/95)~~
- ~~6. Replacement of any component part of assembly or an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes. (3304-12/95)~~
- ~~7. Any refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes. (3304-12/95)~~
- ~~8. Any unit refrigerating system as defined in the mechanical code. (3304-12/95)~~

**17.02.035 Permit Expiration.** The Uniform Administrative Code Section 303.4 is amended to read as follows: (3421-7/99)

~~§ 303.4 Expiration. Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Work shall be considered suspended or abandoned if substantial approval of one of the required progress inspections is not accomplished every 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. (3421-7/99, 3572-10/02)~~

~~A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written application by the permittee. Permits shall not be extended more than once. (3421-7/99, 3572-10/02)~~

**17.02.040 Fees.** Section 304 of the Uniform Administrative Code is amended to read as follows:

#### **§ 304 Fees**

**§ 304.1 General.** The fee for each permit shall be as established by resolution of the City Council. (3022-12/89, 3304-12/95)

**§ 304.2 Permit Fees.** The fee shall be paid at permit issuance. The standard for determination of value or valuation under any of the provisions of these codes shall be made by the building official. The valuation is based on the Building Valuation Data as printed in the Building

~~Standards Magazine published by the International Conference of Building Officials and local cost of construction. The value to be used in computing the building permit and~~

10/02

Huntington Beach Municipal Code

17.02.040 (§ 304.2) - 17.02.040 (§ 304.8[1])

~~building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. (3022-12/89, 3147-7/92, 3304-12/95, 3421-7/99, 3572-10/02)~~

~~§ 304.3 -- Plan Review Fees. When a plan or other data is required to be submitted by § 302.2, a plan review fee shall be paid. This fee shall be paid at the time of submitting plans and specifications for plan review. Said plan review fees shall be as established by resolution of the City Council. (3022-12/89, 3147-7/92, 3304-12/95)~~

~~When submittal documents are incomplete or changed so as to require additional plan review or when a project involves deferred submittal items as defined in § 302.4.2, an additional plan review fee shall be charged. (3304-12/95)~~

~~§ 304.4 -- Expiration Of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire automatically, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant in increments of 180 days subject to the following conditions: (3022-12/89, 3304-12/95)~~

- ~~— (1) The applicant shall submit an application every one hundred and eighty (180) days, accompanied by a plan review extension fee, established by resolution of the City Council. (3572-10/02)~~
- ~~— (2) Any plans that remain in plan review over three hundred and sixty (360) days shall be revised to meet all requirements in existence at the time the permit is issued.~~
- ~~— (3) Any alterations to the plan shall be reviewed by plan review personnel on an hourly fee as established by resolution of the City Council.~~
- ~~— (4) Under no conditions may a plan remain in plan review over seven hundred and twenty (720) days.~~

~~§ 304.5 -- Investigation Fees- Work Without A Permit. Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the total permit fee shall be the standard permit fee plus an investigation fee established by resolution of the City Council. The payment of the investigation fee shall not exempt any person from compliance with the provisions of this code or from any other penalty prescribed by law. (3022-12/89, 3304-12/95)~~

~~§ 304.6 -- Special Service Fees. At the request of an applicant, the building official may authorize the performance of special services not otherwise required by this code or included in the schedule of fees as specified in this section. The fee for any such special service shall be set by resolution of the City Council. (3022-12/89, 3304-12/95)~~

~~§ 304.7 -- Certificate Of Occupancy Fee. Whenever an application is made for a certificate of occupancy, a fee for the certificate of occupancy in an amount established by resolution of the City Council shall be paid to the City. This fee shall be in addition to all other required fees. If subsequent review of the application shows that the certificate of occupancy cannot be issued, the fee shall be retained by the City as a processing fee. (3022-12/89, 3304-12/95, 3572-10/02)~~

~~§ 304.8 -- Fee Refunds. (3022-12/89, 3304-12/95, 3421-7/99)~~

- ~~1. The building official may authorize the refund of any fee paid hereunder which was collected erroneously or has special circumstances. (3421-7/99)~~

10/02

17.02.040(~~§ 304.8(2)~~)–17.02.060(~~§ 309.4(4)(e)~~)

Huntington Beach Municipal Code

- ~~2. Except for a processing fee, the building official shall authorize the refund of a plan check fee when an application for a permit for which a plan check fee was paid is withdrawn or canceled before any plan review is done.~~
- ~~3. When no work has commenced under a permit issued in accordance with this code and such permit is less than 180 days old, the building official shall authorize the refund of all fees except processing, plan check and conservation fees.~~

~~The building official shall not authorize the refund of any fee paid except upon written request of the original applicant or permittee not later than 180 days after the date of fee payment. (3421-7/99)~~

~~**17.02.055 Subsection 309.1 amended—Use or occupancy.** Subsection 309.1 of § 309 of the Uniform Administrative Code is hereby amended to read as follows: (3304-12/95)~~

~~§ 309.1 Use or Occupancy. Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefor as provided herein. (3421-7/99)~~

~~Exception: Group R, Division 1 & 3 (except Hotels and Motels) and U occupancies. (3304-12/95, 3421-7/99)~~

~~Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances shall not be valid. (3304-12/95, 3421-7/99)~~

~~**17.02.060 Section 309.4 amended—Temporary certificate.** Subsection 309.4 of section 309 of the Uniform Administrative Code is hereby amended to read as follows: (3304-12/95)~~

~~§ 309.4 Temporary Certificate. The building official may issue a temporary certificate of occupancy, and authorize the release of utilities and the occupancy of a building or structure, or portion thereof, prior to the completion of a building or development project, upon receipt of a written request and approval of affected departments, subject to the following: (3304-12/95, 3421-7/99)~~

- ~~(1) The building official has determined that no substantial hazard exists to life or property. (3421-7/99)~~
- ~~(2) A cash deposit to guarantee completion of required improvements has been deposited with the City in an amount equal to one hundred and fifty (150) percent of the estimated cost to complete such improvements, as determined by the affected department. (3421-7/99)~~
- ~~(3) Payment of a non-refundable, certificate fee, established by resolution of the City Council.~~
- ~~(4) An agreement in a form approved by the City Attorney, signed by the owner or the prime contractor which shall contain the following:~~
- ~~—(a) A statement of the improvements necessary and that the improvements will be completed within the time specified but not longer than ninety (90) days. If there are special circumstances, the building official may authorize a longer specified time. (3421-7/99)~~
- ~~—(b) Authorization for the City to enter the property and complete the work specified without additional notice to the owner in the event the work is not completed within the time specified.~~

- ~~—(e) A statement that the cost of such work shall be paid from the cash deposit of the applicant and such cost shall include reasonable administrative costs incurred by the City when such work covered by the deposit is completed by the City.~~

7/99

Huntington Beach Municipal Code

17.02.060(\$ 309.4[4(d)])—17.02.060(\$309.4[5])

- ~~—(d) REFUND OF CASH DEPOSIT. If the improvements required are completed within the time specified in the agreement or as extended, the affected department shall authorize the refund of the deposit. (3421-7/99)~~

- ~~(5) The building official may revoke the temporary occupancy certificate upon failure to comply with the terms and provisions of the agreement. (2431-7/80, 2747-2/85, 3421-7/99)~~





**LEGISLATIVE DRAFT****Chapter 17.16****REPEALED****EARTHQUAKE HAZARD REGULATIONS**

(914-7/62, 2149-2/77, 2362-7/79, 2471-2/81, 2505-10/81)

**Sections:**

- ~~— 17.16.010 Title~~
- ~~— 17.16.020 Findings and purpose~~
- ~~— 17.16.030 Scope~~
- ~~— 17.16.040 Prima facie hazard grading~~
- ~~— 17.16.050 Elements of grading~~
- ~~— 17.16.060 Hazard grades—Assignments~~
- ~~— 17.16.070 Hazard grades—Placement of buildings~~
- ~~— 17.16.080 Immediate hazard~~
- ~~— 17.16.090 Notice and orders of Building Official~~
- ~~— 17.16.100 Corrective action~~
- ~~— 17.16.110 Plan of action—Extension of time~~
- ~~— 17.16.120 Hazard classification—Removal from~~
- ~~— 17.16.130 Repair and strengthening measures—Plans for~~
- ~~— 17.16.140 Repair and strengthening measures—Extension of time~~
- ~~— 17.16.150 Demolition and removal—Plans for~~
- ~~— 17.16.160 Change of hazard grade~~
- ~~— 17.16.170 Complete repair~~
- ~~— 17.16.180 Notice to County Recorder~~
- ~~— 17.16.190 Enforcement of order—Application to Board of Appeals~~
- ~~— 17.16.200 Board of Appeals hearing~~
- ~~— 17.16.210 Enforcement of Board of Appeals order~~
- ~~— 17.16.220 Jurisdiction over cases~~
- ~~— 17.16.230 Affidavits—Use of~~
- ~~— 17.16.240 Violation and penalty~~

~~**17.16.010 Title.** This chapter shall be known as the "Huntington Beach Earthquake Hazard Regulations." (2362-7/79)~~

~~**17.16.020 Findings and purpose.**~~

~~(a) The city of Huntington Beach is located in one of the potentially most active seismic areas. Southern California has been identified in the Uniform Building Code as Seismic District 4 which imposes the most severe seismic design criteria of all the seismic districts. Evidence demonstrates that the greatest single threat to life and property is the unreinforced masonry buildings constructed prior to state code requirements for earthquake design adopted as a result of the Southern California earthquake of 1933.~~

~~— Unreinforced masonry buildings were mostly built using lime mortar without reinforcing materials tying various building components together. Lime mortar deteriorates with time~~

and weather thereby losing its ability to bond masonry units together and to resist any type of stress.

- (b) ~~The purpose of this chapter is to define a systematic procedure for identifying and assessing earthquake generated hazards associated with certain existing buildings within the city and to develop a flexible, yet uniform and practical procedure for correcting or reducing those hazards to tolerable hazard levels. Nothing in this chapter shall preclude or affect the assessment and abatement, pursuant to existing laws, of other hazards which may involve fire, exits, plumbing, electrical, and other such conditions in existing buildings. (2362-7/79)~~

**17.16.030 Scope.** ~~This chapter shall apply to all buildings having exterior walls of concrete, clay tile, brick or other masonry, and not specifically designed and constructed to resist seismic forces, as determined by the Building Official in accordance with the criteria set forth in this chapter and other applicable ordinances and laws. (2362-7/79)~~

**17.16.040 Prima facie hazard grading.** ~~All buildings covered by this chapter shall be inspected and graded in accordance with the provisions set forth herein, such inspection to determine the relative prima facie earthquake hazard associated with same, and such grading to establish a priority for subsequent correction. Grading shall consist of an evaluation based upon an examination of the building plans, specifications or reports that are available, and a detailed inspection of the building. Said evaluation shall include an analytical evaluation which will determine the resistance to earthquake forces of the primary structural system of the building. The analysis shall be based insofar as possible on the same procedures and assumptions used in seismic design of new buildings and, for purposes of evaluation, shall consist of a comparison of the seismic resistance of the existing building to the seismic resistance required of a new building designed and constructed under the Huntington Beach Building Code, and otherwise identical to the existing building insofar as location, use, configuration, structural system and materials of construction are concerned. Such comparison can be expressed in terms of a resistive capacity ratio,  $R_S$ , defined as follows:~~

$$\frac{R_S}{V_{REQ}} = \frac{V_{CAP}}{V_{REQ}}$$

~~Where  $V_{CAP}$  is the actual lateral force resistive capacity of the particular existing building, calculated for the critical mode of failure of a significant portion of the building, and  $V_{REQ}$  is the required lateral force resistive capacity of the same structure calculated for those specified earthquake conditions set forth in the Huntington Beach Building Code. The actual lateral force capacity,  $V_{CAP}$ , of existing buildings shall be computed using those values and procedures set forth in a specification entitled, "Specifications for Assessing the Capacity of Unreinforced Masonry Buildings," prepared by the Building Official, and on file in the department of development services. (2362-7/79)~~

**17.16.050 Elements of grading.** ~~Assessment of the resistive capacity ratio,  $R_S$ , shall take into account the following elements:~~

- ~~(a) Stability of the wall system and vertical framing;~~
- ~~(b) Horizontal diaphragm and/or bracing system;~~
- ~~(c) Connections;~~

(d) Shear-resisting elements;

(e) Special hazards, either structural or nonstructural.

Assignment of a building to a particular hazard grade shall be determined by the resistive capacity ratio,  $R_S$ , as defined in this chapter. (2362-779)

**17.16.060 Hazard grades—Assignment.** Assignment shall be in one of the following three hazard grades if the capacity of the building has been determined to be less than that required under the Huntington Beach Building Code:

Grade I—Excessive hazard

Grade II—High hazard

Grade III—Intermediate hazard (2362-779)

**17.16.070 Hazard grades—Placement of buildings.** Resistive capacity ratio limits determining placement of a building in particular hazard grades area as follows:

Grade I—Excessive hazard: those structures having a resistive capacity ratio,  $R_S$ , of 0.20 or less.

Grade II—High hazard: those structures having a resistive capacity ratio,  $R_S$ , greater than 0.20 but not greater than 0.50.

Grade III—Intermediate hazard: those structures having a resistive capacity ratio,  $R_S$ , greater than 0.50 but not greater than 0.75.

If an assessment results in a resistive capacity ratio,  $R_S$ , greater than 0.75 or if a repair is accomplished to effect conformance with the seismic requirements of the Huntington Beach Building Code, the building shall be deemed as having no hazards and shall be so classified. (2362-779)

**17.16.080 Immediate hazard.** In addition to evaluation of the primary structural systems, any structural or nonstructural element of the building, including parapets, ornamentation or other appendages attached to the building or any structural or nonstructural architectural, mechanical or electrical system that is determined by reason of lack of attachment, anchorage or condition, to become imminently dangerous to the life, limb, property or safety of the public or occupants of a building shall be classed as an immediate hazard. Any immediate hazard identified in buildings classified as "high" or "intermediate" hazard shall be treated as an "excessive" hazard and shall be abated under the procedures established for "excessive" hazard. (2362-779)

**17.16.090 Notice and orders of Building Official.** When grading buildings has been accomplished, owners and interested parties shall be notified of:

(a) The hazard grade in which their building has been placed in accordance with section 401(e), (d) and (e), Chapter 4 of the Uniform Code for the Abatement of Dangerous Buildings, adopted by the city council of the city of Huntington Beach, and incorporated in the Huntington Beach Municipal Code as Chapter 17.12.

~~(b) The need for corrective action as specified in this chapter.~~

~~Such notice shall also include the procedure to be followed set forth in Chapter 5, "Appeal," of the Uniform Code for the Abatement of Dangerous Buildings, if the owner is in disagreement with the grading. Finally, the notice shall state that the grade assigned will be recorded with the County Recorder after sixty days unless a change in grade has been initiated as required by this chapter. (2362-7/79)~~

**17.16.100 Corrective action.** ~~Owners of buildings that have been graded shall be given notice of the need for corrective action. Such notification shall be by a form approved by the Building Official.~~

~~Owners of buildings have been graded Grade I—Excessive hazard, shall, within six (6) months from the date of certification of the local coastal plan, file with the Building Official a plan of action for reducing the earthquake hazard associated with such buildings to an acceptable level. Owners of buildings that have been graded Grade II—High hazard, shall file such plan of action within thirty (30) months from the date of the notice. Owners of buildings that have been graded Grade III—Intermittent hazard, shall file such plan of action within fifty-four (54) months from the date of notice. (2362-7/79, 2471-2/81, 2505-10/81)~~

**17.16.110 Plan of action—Extension of time.** ~~The specified time for filing the plan of action may be extended by the Building Official for good cause shown in writing. Such request for extension shall be filed with the Building Official not less than seven days prior to the deadline for filing the required plan of action. Only one such extension of time shall be granted. Any such request for an extension of time shall be signed by the owner of the building and shall contain a statement of the owner's contemplated action, his progress toward such contemplated action up to the time of the request, an estimate of the time needed to complete the required plan of action, and the name and address of the engineer or architect, if any, retained by the owner. (2362-7/79, 2471-2/81)~~

**17.16.120 Hazard classification—Removal from.** ~~Buildings that have been graded Grade I—Excessive hazard shall be removed from that hazard classification not later than one year from the date of certification of the local coastal plan. Buildings that have been graded Grade II—High hazard shall be removed from that hazard classification not later than three years from the date of the notice. Buildings that have been classified Grade III—Intermediate hazard shall be removed from that classification not later than five years from the date of the notice. Removal of the building from the hazard classifications may be accomplished by appropriate repair, rehabilitation, increasing the lateral force resistance to the required level, demolition and removal or other methods permitted by this chapter. (2362-7/79, 2505-10/81)~~

**17.16.130 Repair and strengthening measures—Plans for.** ~~In the event the proposed plan of action contemplates repair or some method of removing the building from the hazard classifications other than demolition and removal, the owner shall file with the Building Official, not later than 120 days from the deadline for filing his plan of action, structural plans delineating the proposed repairs or strengthening measures which will increase the lateral force resistance capability of the building to the required level. Information as to the magnitude of the lateral force resistance capability of the building in its existing condition, as well as information as to proposed repairs or strengthening measures intended to increase the lateral force resistance~~

capability, shall be prepared by a structural or civil engineer or architect, licensed under the laws of the state of California to practice such profession. (2362-779)

~~**17.16.140 Repair and strengthening measures—Extension of time.** An extension of the aforesaid 120 days may be granted for good cause shown by requesting same in writing with the Building Official at least seven calendar days prior to the expiration of the said 120 days. Such request shall be accompanied by a written statement explaining the reason for such an extension and an estimate of the date on which plans will be completed, the degree to which plans have already been completed, and other information which will document the fact that work is progressing. (2362-779)~~

~~**17.16.150 Demolition and removal—Plans for.** In the event demolition and removal is contemplated, a date certain for such demolition and removal shall be submitted to the Building Official for evaluation and approval. (2362-779)~~

~~**17.16.160 Change of hazard grade.** Buildings placed in a particular hazard grade may be changed to a lesser grade if corrective repairs are undertaken and accomplished. Hazard grading may also be changed when competent engineering data are submitted substantiating such a change. Such data may consist of analytical assessments, tests, or other data substantiating a higher resistive capacity ratio. Corrective repair plans or data substantiating a change a change in hazard grade shall be prepared by a structural or civil engineer or architect licensed under the laws of the state of California to practice such profession. Partial repair designed to correct or strengthen individual or critical elements of a building will be permitted provided a suitable plan indicating the method of total and eventual correction and the schedule of expected dates of correction are submitted and the method of eventual correction is approved. Buildings so repaired will be regraded reflecting repairs so accomplished.~~

~~Buildings changed from one hazard grade to a lesser hazard grade shall be subject to the time limitations for removal from the lesser hazard classification as required therefor; however, such time period shall be measured from the date of the first notice of hazard grade classification as provided in this chapter. (2362-779)~~

~~**17.16.170 Complete repair.** Complete repair and removal from any hazard classification will be deemed to have been accomplished when the building has been repaired in accordance with the provisions for repair to remove structures from hazard classifications in the "Specifications for Assessing the Capacity of Unreinforced Masonry Buildings." (2362-779)~~

~~**17.16.180 Notice to county recorder.** Upon expiration of the prescribed period after notification to owners and interested parties of the hazard grade in which their building is being placed, and if such hazard grade has not been changed or required data substantiating a change has not been submitted as provided in this chapter, the Building Official shall prepare and cause to be recorded with the County Recorder a certificate stating that the building has been graded and assigned the particular hazard grade determined under the provisions of this chapter. When and if all required repairs are made to the building and it is removed from the hazard grade, or certain corrective action is taken to change it to a different grade, the Building Official shall cause to be recorded with the County Recorder a certificate indicating the removal from said hazard grade or reflecting a change to a different grade. (2362-779)~~

D1 . 46

~~**17.16.190 Enforcement of order—Application to Board of Appeals.** In the event the owner of a building is notified, as provided in this chapter, and a plan of action satisfactory to the Building Official is not presented within the prescribed period after said notice has been served or within~~

~~such extension of time as may have been granted in writing by the Building Official; or if the proposed plan of action, contemplated repair, or some action other than demolition and removal has not been submitted and agreed upon by the Building Official within the time periods specified in this chapter, or within such extension of time as the Building Official may have granted, then the Building Official shall apply in writing to the Huntington Beach Board of Appeals for an order declaring the building to be a nuisance or a dangerous, and ordering the certificate of occupancy to be revoked, or that the building be demolished or repaired in a manner satisfactory to the Building Official, all by a date certain. Said written application shall set forth in the form of factual allegations all facts which, if proved, are necessary to justify an order to repair or demolish including, not but limited to, the following:~~

- ~~(a) The location and legal description of the building;~~
- ~~(b) A concise calculation sheet indicating the resistive capacity ratio,  $R_S$ , for each of the elements of the structural system;~~
- ~~(c) The structure's present use;~~
- ~~(d) The date upon which the owner of the building was notified pursuant to the requirements of this chapter;~~
- ~~(e) A statement as to whether the owner of the building has submitted a plan of action as required by this chapter;~~
- ~~(f) The date certain by which the building must be repaired or demolished, in the Building Official's opinion, in order to keep the earthquake hazard associated with it at or below the applicable tolerable level.~~

~~A copy of said written application shall be mailed by certified United States mail to owners and interested parties to whom the first notice was mailed. (2362-7/79)~~

**17.16.200 Board of Appeals hearing.** ~~In the event the owner of the building files an appeal, or the Building Official files an application, a date and time for a hearing before the Board of Appeals shall be set by the Building Official in accordance with the provisions of Chapter 5 of the Uniform Code for the Abatement of Dangerous Buildings, as adopted by the city council and incorporated in the Huntington Beach Municipal Code as Chapter 17.12.~~

~~Such hearing shall be held in accordance with the applicable provisions of Chapter 6 of said code. (2362-7/79)~~

**17.16.210 Enforcement of Board of Appeals order.**

- ~~(a) In the event the Board of Appeals orders a building demolished immediately upon the effective date of its order, the building's owner shall arrange for the vacation and demolition of said building within sixty days after notice to the owner of the board's order unless such order is modified, reversed or stayed by a court of competent jurisdiction. Should the building's owner fail to inform the Building Official within five days after notice of the board's order that such arrangements have been made or should the owners' scheduled demolition not in fact be completed within the aforesaid sixty day period, then the Building~~

Official may arrange for the demolition of the subject structure and impose a lien upon the property for the costs of same.

- (b) ~~In the event the board orders the demolition of the subject building by a date certain which is three months or more after the effective date of the order, and said order is not modified, reversed or stayed by a court of competent jurisdiction, the Building Official shall prepare a notice of pending order of demolition and arrange for the recordation of same in the office of the County Recorder of Orange County.~~

~~— Said notice shall be recorded under the names of each and every person to whom the notice was mailed. The building's owner may pay the recording fees for the aforesaid notice and thereby avoid the imposition of lien for recording fees against the property.~~

- (c) ~~In the event the Board of Appeals certifies to the validity of any or all of any measures the owner shall have proposed as a means of reducing the earthquake hazard, and finds that the accomplishment of such measures will reduce the earthquake hazard associated with the building to or below the applicable tolerable level, it shall order the owner to initiate the accomplishment of such measures immediately and to complete the same within a reasonable time. The Board of Appeals shall designate in its order, based on evidence presented to it during the hearing, that date certain which represents a reasonable time in its opinion for the accomplishment of the proposed measures. (2362-7/79)~~

**17.16.220 Jurisdiction over cases.** ~~The Board of Appeals shall retain jurisdiction over cases in which it has approved owner proposed measures for reducing earthquake hazard until such measures have been timely accomplished. In the event written evidence of the completion of the approved measures is not presented to the board within ten days after the designated date for the completion of such measures shall have passed, the board may revise its decision and order the immediate vacation and demolition of the building. The board may consider a time extension for the completion of the proposed measures, if, prior to said date, the building's owner shall have so applied. Any application for such an extension shall be in writing, setting forth what has actually been accomplished, what remains to be done, and the reasons for the requested extension. Should the board conclude that good cause has been shown for an extension, it may grant such an extension in writing for a period deemed necessary to complete the approved repairs. (2362-7/79)~~

**17.16.230 Affidavits Use of.** ~~In the event the Building Official or any interested person presents written affidavits to the Board of Appeals indicating the owner is not proceeding in good faith to accomplish in a timely manner any measures approved by the board in its original decision and order, the board shall on ten days written notice mailed via certified United States mail to the owner of the building, schedule and conduct a hearing on the matter. At such hearing, evidence, oral and written, may be presented as in the original hearing, and if the board is convinced that the owner is not proceeding in good faith to carry out its original order in a timely manner, then it shall revoke said order and order instead the immediate vacation, demolition and removal of the building. Written affidavits shall not, however, be considered by the board under this section until at least 50 percent of the time allowed in its original order shall have expired. (2362-7/79)~~

**17.16.240 Violation and penalty.** ~~It shall be unlawful for any person, firm, or corporation to violate any of the provisions of this chapter, and any person, firm or corporation who violates any of such provisions of the chapter hereby adopted or fails to comply herewith, or who violates or~~

~~fails to comply with any order made thereunder and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the Huntington Beach Board of Appeals or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than twenty-five dollars (\$25) or more than six hundred dollars (\$600), or by imprisonment for not less than two (2) days or more than 365 days, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense. (2362-7/79)~~



**LEGISLATIVE DRAFT****Chapter 17.20****Repealed****DRIVEWAYS AND PARKING AREAS**

(924-9/62, 1063-6/64, 2975-12/88, 3022-12/89, 3035-3/90)

**Sections:**

- ~~17.20.010 Driveway design~~
- ~~17.20.020 Repealed 2975-12/88~~
- ~~17.20.030 Ribbon driveways~~
- ~~17.20.040 Subgrade construction~~
- ~~17.20.050 Repealed 3022-12/89~~
- ~~17.20.060 Concrete pavement~~
- ~~17.20.070 Repealed 3022-12/89~~
- ~~17.20.080 Repealed 3025-3/90~~
- ~~17.20.090 Repealed 3025-3/90~~

**17.20.010 Driveway design.** The following shall apply to driveway design:

- (a) ~~Driveway shall extend from street or alley pavement or curb line to garage, carport or parking space.~~
- (b) ~~Minimum width shall be ten (10) feet.~~
- (c) ~~Driveway entrance shall have a flare or radii adequate for safe and convenient ingress and egress.~~
- (d) ~~Maximum gradient between vertical transition, 1 3/4 inches per foot (14 percent).~~
- (e) ~~Vertical transition shall prevent contact of car undercarriage or bumper with surface.~~
- (f) ~~Horizontal alignment shall be safe and convenient to back car out or an adequate turnaround shall be provided. (924-10/62)~~

**17.20.030 Ribbon driveways.** Ribbon driveways may be used in accordance with the following:

- (a) ~~Ribbons shall be concrete, five (5) feet o. c.~~
- (b) ~~Minimum width of ribbon shall be two (2) feet.~~
- (c) ~~Apron at street shall be flared and improved full width for at least twelve (12) feet length, using concrete or other acceptable material. (924-10/62)~~

**17.20.040 Subgrade construction.** Subgrade shall be well drained, uniformly graded and compacted to prevent harmful differential settlement. (924-10/62)**17.20.060 Concrete pavement.** The following shall apply to concrete pavement: (3022-12/89)

- (a) ~~Minimum thickness shall be four (4) inches actual;~~
- (b) ~~Provide an expansion joint at public walk and at garage or carport slab; (2975-12/88)~~
- (c) ~~Provide contraction joints at approximately ten (10) foot intervals;~~
- (d) ~~Finished to provide smooth surface true to cross-section and grade;~~

~~(e) Concrete shall be kept moist for a period of three (3) days to insure proper curing. (924-10/62,~~  
~~1063-7/64)~~  
12/89

**LEGISLATIVE DRAFT****Chapter 17.12****DANGEROUS BUILDINGS CODE**

(1332-7/66, 1629-2/71, 1883-1/74, 2149-2/77, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3307-12/95, 3424-7/99)

**Sections:**

- 17.12.010 Adoption
- 17.12.020 Repealed Ord 3307-12/95
- 17.12.030 Repealed Ord 3307-12/95

**17.12.010 Adoption** There is hereby adopted by the City Council by reference that certain code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, for the purpose of providing a just, equitable and practicable method, ~~to be cumulative and in addition to any other remedy provided by the California Building Code, 1998 edition, or Uniform Housing Code, 1997 edition,~~ or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated or demolished; providing penalties for the violation of such code, and repealing all ordinances and parts of ordinances in conflict therewith, and the same is hereby adopted and incorporated as fully as though set out at length herein, as provided by California Government Code § 50022.2 et seq., and Health and Safety Code §18941.5. From the date on which this chapter takes effect, the provisions of said code together with amendments thereto shall be controlling within the corporate limits of the city of Huntington Beach. (1332-7/66, 1629-2/71, 1883-1/74, 2431-7/80, 2747-2/85, 2976-12/88, 3022-12/89, 3147-7/92, 3307-12/95, 3424-7/99)

INTENTIONALLY  
LEFT  
BLANK

**LEGISLATIVE DRAFT****Chapter 17.24****SUN DECKS--WINDSCREENS**

(1114-1/65, 2216-10/77, 2559-7/82, 2975-12/88, 3022-12/89, 3231-4/94)

**Sections:**

- 17.24.010 Construction
- 17.24.020 Railing
- 17.24.030 Windscreen
- 17.24.040 Repealed, Ord. 2216-10/77
- 17.24.050 Repealed, Ord. 2216-10/77
- 17.24.060 Applicable to waterfront lots
- 17.24.070 Repealed, Ord. 2337-1/79
- 17.24.080 Repealed, Ord. 2337-1/79

**17.24.010 Construction.** Decks projecting beyond the bulkhead shall meet the following design requirements: (2975-12/88, 3022-12/89)

- (a) Decks shall be designed to sustain a minimum live load of one hundred (100) pounds per square foot.
- (b) There shall be no moment connection between the deck and the bulkhead.
- (c) Projecting decks shall be designed to sustain all dead loads plus the required live load within the stresses permitted for the particular materials by the ~~Uniform~~ **California** Building Code. In no case shall the resultant load on the bulkhead, from dead loading, exceed seven-hundred and fifty (750) pounds per lineal foot. In addition, a maximum equivalent uniform live load of fifty (50) pounds per square foot is permitted. This live load shall be used to account for all ancillary features incorporated into the deck/patio structure including but not limited to overlayment, windscreens, and planters. (3022-12/89)
- (d) Projecting decks are permitted along the bulkhead provided the total length of the deck along the bulkhead does not exceed eighty (80%) percent of the length of the bulkhead abutting the lot. (3022-12/89, 3231-4/94)
- (e) The elevation of the top of the deck shall not be higher than the height of the slab of the ground floor of the dwelling unit nor be more than eighteen (18) inches above the top of the bulkhead, whichever is less. (1114-1/65, 2216-10/77, 3022-12/89)
- (f) All decks shall be in conformance with the Huntington Beach **Zoning and Subdivision** Ordinance Code. (3231-4/94)

**17.24.020 Railing.** Railing, not exceeding forty-two (42) inches in height and capable of withstanding a horizontal force of twenty (20) pounds per lineal foot applied to the top of the railing may be constructed completely surrounding the deck area. (1114-2/65, 2216-10/77)

**17.24.030 Windscreen.** The windscreens may enclose the entire deck perimeter within the following structural limitations:

- (a) Windscreens may be supported horizontally by bracing to the main dwelling.
- (b) The windscreen shall be designed to withstand a horizontal wind load of ten (10) pounds per square foot.
- (c) Except for necessary framing and overhead windbreaks, all portions of the windscreen above the allowed forty-two (42) inch railing height shall be open or of clear glass or other transparent material.

~~(d) All glass shall comply with the applicable provisions of Chapter 54 of the Huntington Beach Building Code. (1114-2/65, 2216-10/77)~~

**17.24.060 Applicable to waterfront lots.** This chapter shall apply only to lots designated as waterfront lots, and decks projecting beyond the bulkhead line shall be limited to wharfage areas assigned to said waterfront lots (1114-1/65, 2559-7/82)

D1 . 55

# ATTACHMENT 3





**THE COUNCIL DOES HEREBY EXPRESSLY FIND AND DETERMINE THAT  
THE AMENDMENTS SET FORTH IN ORDINANCE NOS. 3789 & 3790,  
AMENDING THE FOLLOWING SECTIONS  
ARE REASONABLY NECESSARY BECAUSE OF  
LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHIC CONDITIONS.**

**ORDINANCE NO.3789 - CALIFORNIA BUILDING CODE**

- **Appendix Chapter 1**-All amendments are administrative in nature and not subject to findings.
- **Section 1910.1** – Amended to require minimum slab reinforcement and a vapor barrier with 2” sand.

**Finding** - The amendment is reasonably necessary to address the following geological conditions:

1. Much of the city is located in historical flood plain areas and is subject to high ground water levels.
2. Many areas of the city contain soils that are expansive when subjected to excessive moisture.

Providing a vapor barrier beneath on-grade concrete slab floors will minimize water intrusion and the sand protects the barrier. Installation of minimum on-grade concrete slab reinforcement acts to control excessive cracking.

- **Section 901.1** - Amended Fire Protection System requirements to refer to Chapter 17.56 (The Fire Code)

**Finding** - Refer to the Fire Code finding.

- **Chapter 55 Methane Districts** - Added to address construction on or near former oil field sites.

**Finding** - The amendment is reasonably necessary to address the following geological condition:

1. Many areas of the city contain currently operating or former oil fields that can be conducive to the migration of subterranean methane gas deposits to the surface.

Methane District Regulations reduce hazards presented from the accumulation of methane gas by requiring appropriate testing and mitigation measures for all new buildings located in the overlay district.

## **ORDINANCE NO. 3790 - 2007 CALIFORNIA MECHANICAL CODE**

- **Section 508.1** - Amended to delete commercial kitchen hoods for minor warming appliances in food establishments.

This amendment is administrative in nature and not subject to findings.

## **ORDINANCE NO. 3790 - 2007 CALIFORNIA PLUMBING CODE**

- **Section 412.7** - Amended to clarify allowable distance to toilet facilities on construction sites.

This amendment is administrative in nature and not subject to findings.

- **Section 701.1.2** - Amended to clarify where ABS and PVD drain, waste and vent pipe can be used consistent with existing state law.

This amendment is administrative in nature and not subject to findings.

## **ORDINANCE NO. 3790 - 2007 CALIFORNIA ELECTRIC CODE**

- **Section 250-52** - Amended to limit ground rods to those suitable for corrosive soils.

**Finding** - The amendment is reasonably necessary to address the following geological conditions. Significant areas of Huntington Beach contain corrosive soils. Ground rods must be electrically conductive so they cannot be wrapped or otherwise protected from corrosion. Stainless steel ground rods will insure that an acceptable grounding path will exist for the life of the building.

D1 . 58

# ATTACHMENT 4

INTENTIONALLY  
LEFT  
BLANK

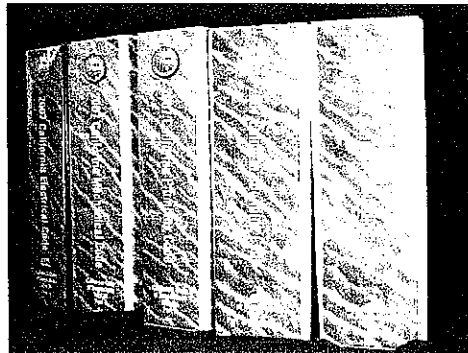
# Adoption of the 2007 California Building & Safety Codes



**Ross D. Cranmer**  
**Building & Safety Director**  
**December 3, 2007**

## Purpose of RCA

- **Adoption of the latest  
California Building and  
Safety Codes**
  - **Building Code**
  - **Mechanical Code**
  - **Plumbing Code**
  - **Electrical Code**



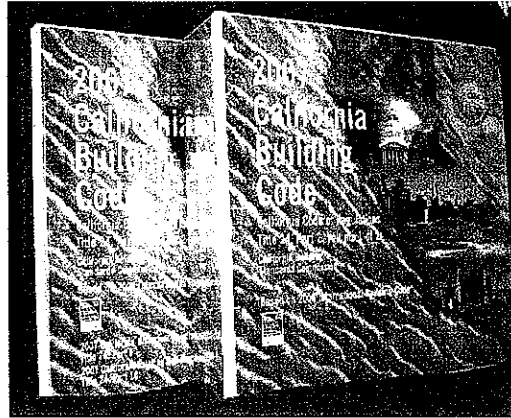
## Process

- **State Building Standards Commission published the Model Codes on July 1, 2007**
- **State Law mandates enforcement 180 days after publication**
- **Enforcement date January 1, 2008**
- **Under consideration tonight are the mandated State Codes and related ordinances**

## Why Adopt Codes?

- **Modify the administrative sections to better serve our customers**
- **Make minor modifications to the Code due to local conditions**

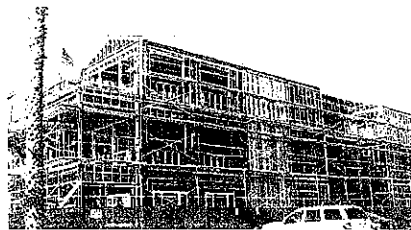
## 2007 California Building Code



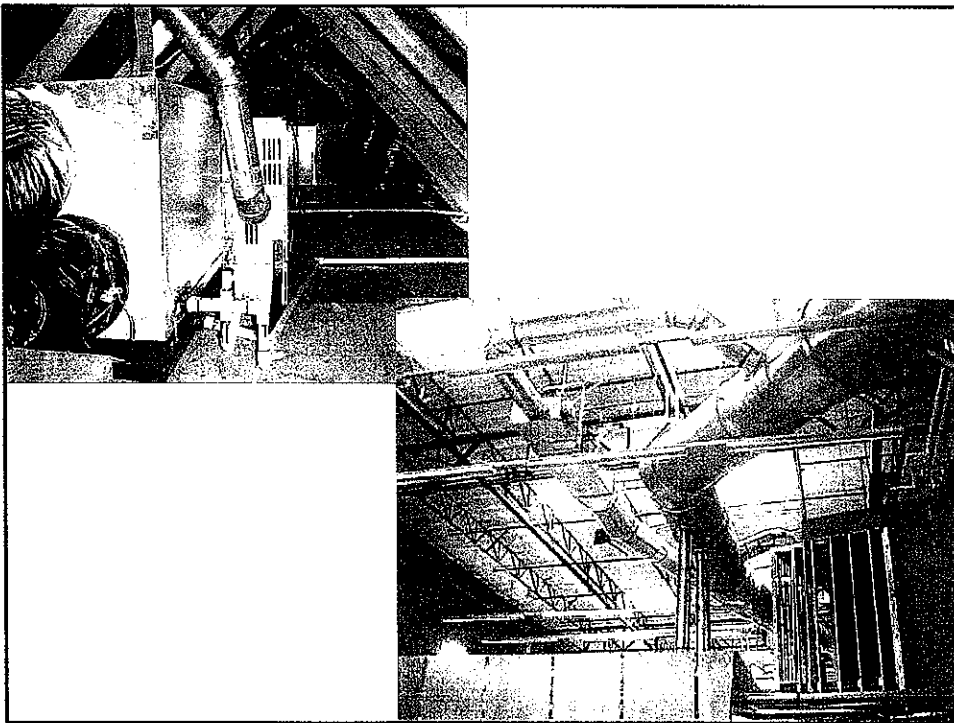
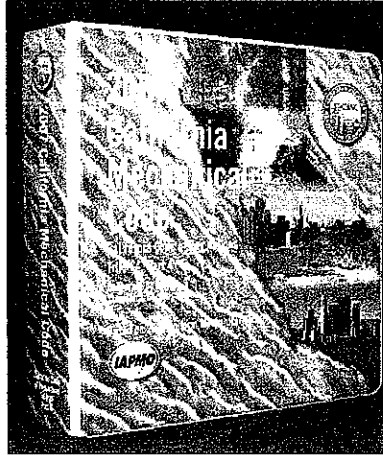
**Strand**



**Downtown  
Residential**

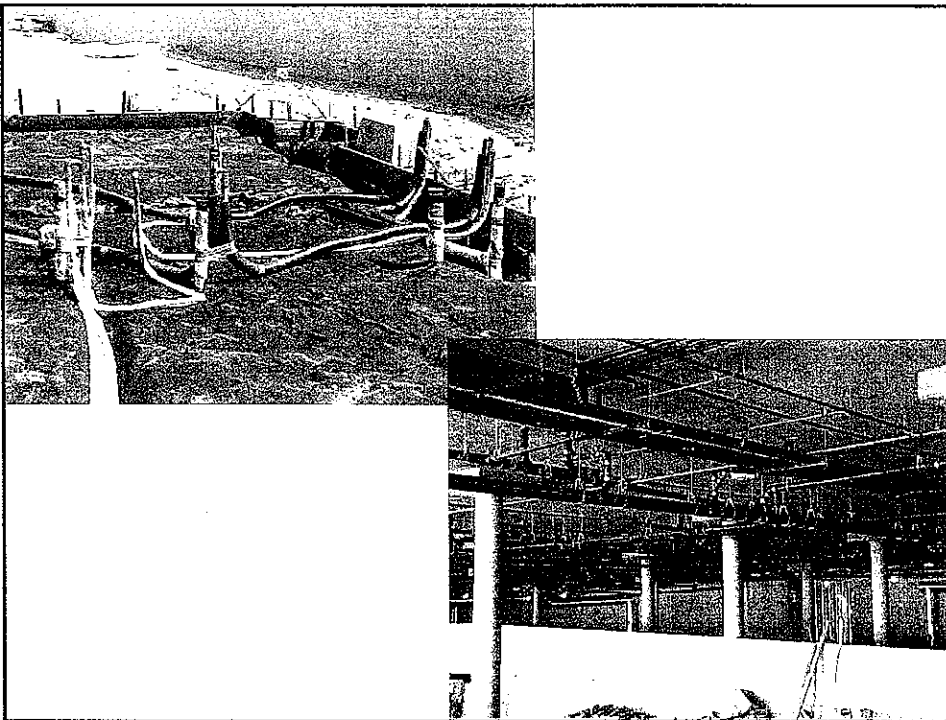
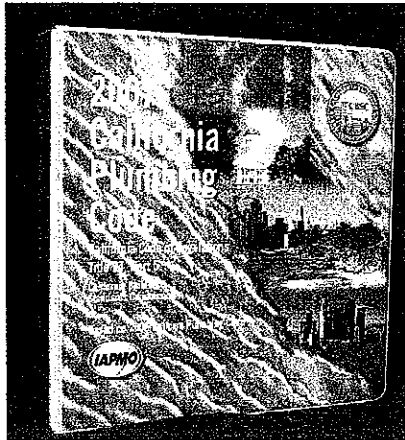


## 2007 California Mechanical Code

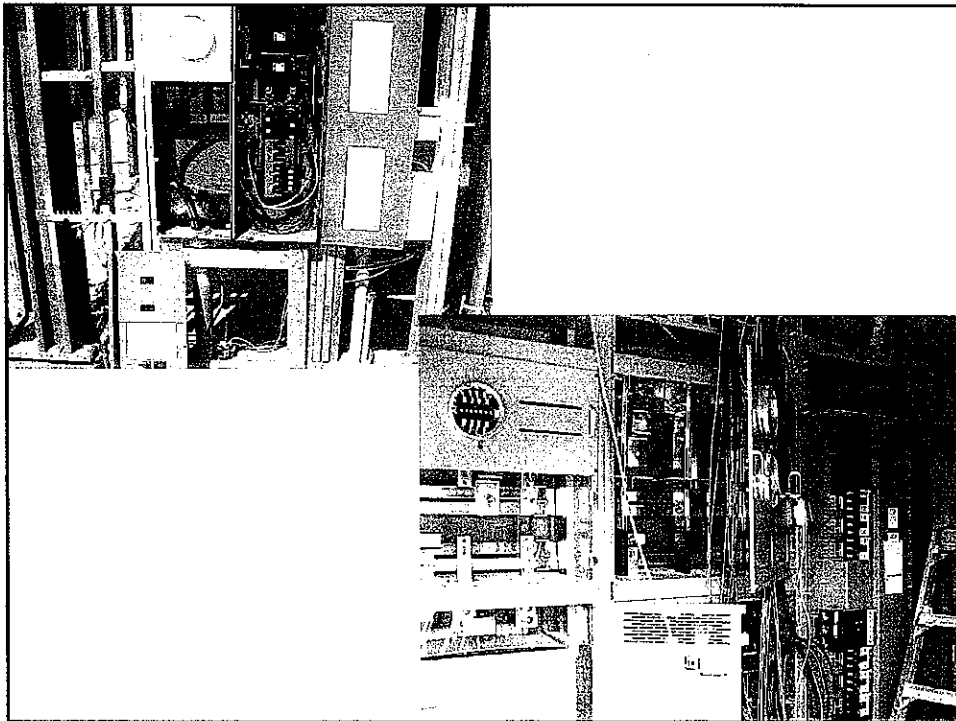
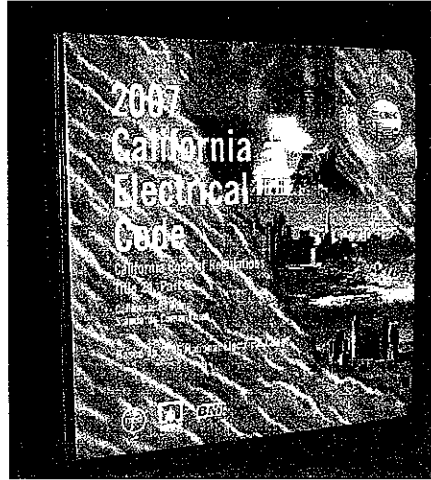




## 2007 California Plumbing Code



## 2007 California Electrical Code



## Summary

- **California Codes are mandated locally 180 days after publication by the Building Standards Commission**
- **The Codes technical provision will be law starting on January 1, 2008 with or without City action**
- **Adoption allows the City to:**
  - **Modify the administrative sections to better serve our customers**
  - **Make minor modifications to the Code due to local conditions**

**QUESTIONS?**

INTENTIONALLY  
LEFT  
BLANK